EDMONDS CROSSING

Connecting ferries, bus & rail

Chapter 7 1998 Draft EIS Comments and Responses: Government Agencies

7.1 Introduction

This section contains all responses to comment letters on the Draft EIS received by the Washington State Department of Transportation during the comment period. The comments and responses are grouped in the following order: federal agencies, state agencies, regional agencies, and city agencies. Comments from and responses to organizations and individuals are presented in Chapter 8. The public hearing testimony and responses are presented in Chapter 9. Letters from government agencies that have substantive comments requiring acknowledgment or a response have a comment number in the left margin that corresponds to a response number. The responses for each comment letter immediately follow the letter. The first comment in each letter is designated as No. 1. Where similar comments are made in different letters, the reader is referred to preceding letters and responses by the name of the government agency, organization, or individual making the comment and by the response number. In addition to comments received on the Draft EIS, other comments for governmental agencies during the environmental review process are included in Appendix A of the Final EIS.

7.2 Government Agencies Comments and Responses

The following government agencies provided written comments on the Draft EIS:

- **Federal Agencies**
  - U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service
  - U.S. Environmental Protection Agency, Region 10
  - U.S. Department of Interior, Office of the Secretary
- **Indian Tribes**
  - The Suquamish Tribe, Fisheries Department
- **State Agencies**
  - Department of Ecology
  - Department of Fish and Wildlife
- **Regional Agencies**
  - Snohomish County, Department of Public Works
  - Community Transit, Snohomish County Public Transportation Benefit Area Corporation

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
HABITAT PROGRAM/OLYMPIA FIELD OFFICE
510 Desmond Drive SE/Suite 103
LACEY, WASHINGTON 98503

April 28, 1998

WA State Department of Transportation
Susan Powell
15700 Dayton Avenue North
P.O. Box 330310
Seattle, WA 98133-9710

Re: Draft Environmental Impact Statement (DEIS) - Edmonds Crossing Ferry Terminal

Dear Ms. Powell:

The National Marine Fisheries Service (NMFS) has reviewed the referenced DEIS for construction of a ferry terminal at Point Edwards in Snohomish County. Our comments are based on NMFS' responsibility to protect and enhance marine, estuarine and anadromous fish resources and their habitats.

Because of staff time limitations, our comments are general in nature and specific concerns will be detailed during the permit process.

1 Please be aware that chinook salmon *(Oncorhynchus tshawytscha)* have been proposed for listing as threatened under the Endangered Species Act and are found in the project area. Also, coho salmon *(O. kisutch)* and sea-run cutthroat trout *(O. clarki clarki)* may range in the project area and are candidate (C) species eligible for listing under the ESA. Although C species are not afforded protection under the ESA, it would be prudent to incorporate project design features that avoid or minimize impacts to anadromous fish resources should they become listed at a later date.

NMFS has concerns with impacts of the proposal on salmonid survival. These concerns are related to potential project impacts such as shading, marine vegetation elimination or disturbance, contaminated sediment disturbance, sediment transport disruption, predator fish population enhancement and freshwater stream/wetland disturbance or destruction. NMFS also has concerns with potential impacts to forage fish such as surf smelt and sandlance.

2 The Washington State Department of Transportation (WSDOT) will need to mitigate for any identified impacts and avoid those impacts which cannot be mitigated. WSDOT should expect mitigation details to be included in the State Hydraulic Project Approval and Corps of Engineer's Section 10 and 404 permits. NMFS final approval of the ultimate proposal will be contingent on a final design which avoids or fully mitigates any impacts to chinook salmon and their life cycle needs.

Thank you for the opportunity to comment on this proposal. If you have any questions regarding this response, please contact Gordon Zillges of my staff at (360) 753-9090 or at the letterhead address.

Sincerely,

Matt Longstaff for

Steven W. Landino
Washington State Habitat Branch Chief

cc: John Boettner, WDFW, Mill Creek

7.2.1 Response for U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service

1. Since the date of the letter, chinook salmon, coho salmon, and bull trout have been taken into special consideration in the Final EIS. A BA (CH2M HILL, 2001) has been prepared for Puget Sound chinook, Puget Sound/Strait of Georgia coho, and bull trout as part of this project.

2. The pier for the preferred alternative (the Point Edwards alternative) has been modified to include design features to mitigate and avoid impacts. The proposed mitigation measures may prove to be beneficial to chinook salmon and their life-cycle needs. The proposed design is presented at a conceptual level for the purposes of this EIS; a detailed design will be prepared as part of the WFDW HPA and Corps Section 10 and 404 permit applications.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

MAY 13 '98

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May 8, 1998

Reply To
Attn Of: ECO-088

Ref: 98-105

Dale Morimoto
Environmental and Special Services Manager
Washington State Department of Transportation
P.O. Box 330310, MS 138
Seattle, Washington 98133-9710

Dear Mr. Morimoto:

The Environmental Protection Agency (EPA) has completed its review of the draft Environmental Impact Statement (EIS) for the proposed **SR 104, Edmonds Crossing** project in accordance with its authorities and responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The draft EIS evaluates two build alternatives and one no-build alternative for solving current multimodal conflicts in downtown Edmonds, Washington. The draft EIS identifies the construction and operation of a multimodal facility at Point Edwards (Alternative 2) as the preliminarily preferred alternative of the Federal Highway Administration, the Washington State Department of Transportation (WSDOT), and the City of Edmonds.

We are fully supportive of projects designed to provide multimodal solutions to transportation problems. We believe that solutions resulting in a greater array of modal options ultimately lead to reduced urban sprawl and reliance on single-occupancy vehicles (and their associated environmental impacts). We support the development of the proposed multimodal facility in Edmonds on a conceptual basis, but the EIS leaves some unanswered questions about the ability of proposed alternatives to provide meaningful multimodal solutions to regional transportation needs. The project alternatives described in the EIS would clearly solve the current ferry, train, bus, and pedestrian conflicts in downtown Edmonds. We believe, however, that the EIS does not provide sufficient information to allow the reader to understand if, or how, the proposed alternatives would result in decreased reliance on the single-occupancy vehicle and an increased use of public transit, bicycle, and foot passage. With discussions in the EIS focused on the project as primarily a ferry terminal, it appears that the effectiveness of the project in meeting the multimodal needs of the region has not been analyzed. We recommend that the EIS provide further analysis and discussion of the project in the context of providing multimodal solutions to regional transportation needs. 1

Additionally, we recommend that the EIS be revised to include additional discussion and/or evaluation of the following topics, which are discussed further in our enclosed detailed comments.

- Seattle-Kingston Passenger Ferries

- Traffic Analyses
- Project Effects outside of Edmonds
- Conflicts with Tribal Fishing Rights
- Disposition of the existing pier and terminal

Based on our review and evaluation of the draft EIS and other information sources, we have assigned a rating of EC-2 (Environmental Concerns -Insufficient Information) to the draft EIS. This rating, and a summary of our comments, will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference.

We are interested in working closely with WSDOT in resolving the issues we have identified above. I urge you to contact Bill Ryan of my staff at (206) 553-8561 at your earliest opportunity to discuss our comments and how they might best be addressed for the project.

Thank you for the opportunity to provide comments on the draft EIS.

Sincerely,

Richard B. Parkin, Manager
Geographic Implementation Unit

Enclosures

cc: Jim Leonard, FHWA
Paul Mar, City of Edmonds
Nancy Brennan-Dubbs, USFWS
Sandi Manning, Ecology
Jack Kennedy, Corps-Seattle
Sandy Stephens, WSDOT-EAO

EPA Comments on the Draft Environmental Impact Statement for the SR 104, Edmonds Crossing Project

Project Objectives

Page 1-1 states that one of the purposes of the proposed project is to encourage the use of public transportation, bicycle, and foot passage. We see these as very important elements of a strategy to reduce the reliance on the single-occupancy vehicle (SOV), which we believe is a necessary element of all transportation planning efforts. Interestingly, we find very few elements in either alternative presently under consideration that would be used to achieve those goals. Consequently, it is not clear that the alternatives discussed in the EIS would be able to meet one of the main purposes of the project. 1

With respect to foot traffic, we see the increased distance from downtown Edmonds (particularly with the Point Edwards alternative) as a potential disincentive for walk-on ferry (as well as bus and train) passengers. Pier length may also prove to discourage foot traffic, particularly if the proposed people mover proves to be unreliable. 2 Section 4 of the EIS presents some discussion of the *City of Edmonds Bikeway and Walkway Plan*, but we were unable to determine how the proposed alternatives themselves have been designed in a manner that would *encourage* bicycle use. 3 Finally, we were unable to find any discrete elements (besides the collocating of the ferry, bus and train terminals in the multimodal facility and including HOV lanes) or analyses that indicate public transportation use would increase with the construction of the proposed facility. No information is provided to demonstrate that collocation of terminal functions would result in increased use of buses and trains. 4 In fact, by providing increased capacity to move more vehicles across the Sound with the use of larger, more frequent ferries, the basic project appears to be encouraging the use of cars and discouraging the use of public transit, bicycle use, and foot passage.

We recommend that the EIS include an expanded discussion of the elements of the proposed project (physical and/or programmatic) that would be used to meet the stated purpose of encouraging the use of public transportation, bicycle, and foot passage.

System Linkage

While the EIS portrays the proposed project as a multimodal facility designed to enhance the use of ferries, trains, and buses, the discussion and analyses seem to focus on the project principally as a ferry terminal. Very little information is presented on the current bus and train systems (and their riderships), or on the projected usage of those systems in the future. 5 In order to understand the linkages between these three travel modes, and how they are projected to improve with the proposed project, we believe the EIS should include information about current and projected usage of each system (including the make-up of the users, and their origin/destination points). As presently written, the EIS does not provide the reader with information about who uses (or are projected to use) these different systems (daily commuters,

weekend travelers, tourists, SOVs/HOVs, commercial traffic, etc.), nor does it indicate present (and projected) endpoints of trips (where are they traveling from/to?). We believe that this type of information is needed in the EIS to provide the public and the decision maker an understanding of the inter-relationships of the different travel modes, and how they are expected to change/improve with the construction and operation of the proposed multimodal facility. 5

The proposed project would result in the use of larger ferries operated at increased frequencies, thereby increasing the capacity of the Edmonds-Kingston "section" of SR 104. A 1995 report by the Transportation Research Board[1] concluded that additions to highway capacity support sprawl when other conditions also support dispersed development. This effect is greatest when improvements increase access to rural land on the urban fringe. Considering these conclusions and that the proposed project improves capacity along the SR 104 corridor, we believe that the EIS should include an assessment of the potential sprawl-inducing impacts to areas on the Kitsap and Olympic peninsulas. 6

Seattle-Kingston Passenger Ferries

The Washington State Senate recently passed a measure authorizing construction of four passenger-only ferries to serve the current Seattle-Kingston and Seattle-Southworth runs. It would appear that a Seattle-Kingston foot ferry would have implications on ferry-related traffic through Edmonds and the intermodal elements of the proposed project. Consequently, we recommend that the EIS be revised to discuss/analyze the consequences of the addition of passenger-only ferries between Kingston and Seattle as it relates to the proposed project. 7

Traffic Analyses

The EIS presents very little information related to traffic analyses conducted in the development of the project proposals, and steers the reader to the discipline reports maintained at the WSDOT Northwest Regional office. First, we believe that traffic changes (volumes, levels of service, etc.) would be a consequence of the proposed project and are **impacts** that must be reported in the EIS. Second, inclusion of this information is essential in understanding other elements of the EIS, such as the air quality and noise analyses. While it is not our intent to have the EIS be exhaustive in its content, we believe that the traffic analyses are a fundamental part of the analyses for the proposed transportation project and they should be summarized in greater detail in the EIS and/or appended thereto. 8

Project Effects Outside of Edmonds

We were unable to locate any information in the draft EIS that describes potential effects of the proposed project outside of the immediate vicinity of Edmonds, or whether such effects have been evaluated and determined to be insignificant. We see an element of the project is to increase capacity between Edmonds and Kingston, yet the EIS does not discuss the impacts of this enhanced capacity on Kingston, the Kitsap Peninsula, or the Olympic Peninsula (or perhaps 9

[1] Transportation Research Board, 1995, *Expanding Metropolitan Highways: Implications for Air Quality and Energy Use*, Special Report No. 245, Washington, D.C.

other locations). We believe that the consequences of building and operating the proposed project would likely extend beyond the confines of Edmonds, and we recommend that the EIS be revised to disclose the significance of such potential consequences. 9

Potential Conflicts with Tribal Usual and Accustomed Fishing Areas

Page S-10 indicates that tribal rights to fishery resources in the waters designated as usual and accustomed fishing areas has been identified as an issue that has yet to be resolved, particularly as it relates to the Point Edwards site. We offer the following comments regarding this issue.

1) We are concerned with the conclusion on page 4-78 that "Point Edwards alternative would not have any adverse affects (sic) on other governmental institutions..." given the responsibilities of the federal government to consult with Tribes on a government-to-government basis. We believe that impacts to Tribal fishing rights would represent potentially significant effects to a government institution (i.e., the Tribes) and should be acknowledged and evaluated in the EIS. 10
2) We encourage the Federal Highway Administration (FHWA) to ensure that this issue is resolved before a decision is rendered on the proposed project.
3) We believe that this issue is significant and warrants further discussion in Section 4 of the EIS. The *Social Impacts* section, which is presently focused only on impacts to Edmonds, should be expanded to include the potentially significant impact to tribal rights to fishery resources.

Existing Pier and Terminal

We see the disposition of the existing pier and terminal as an action that is connected to the two build alternatives being considered and, as such, should be discussed/evaluated in the EIS. There are options available for the disposition of the current facility which range from reuse to removal and restoration (each with their associated impacts) which have not been included in the EIS. We recommend that the EIS be revised to include an evaluation of the options being considered for the existing pier/terminal, and a clear identification of the disposition of that facility. We recommend that the decision on the disposition of the existing pier be documented in the Record of Decision for the project. 11

Hazardous Waste Concerns

We recommend that FHWA/WSDOT do not render a decision of the project until the hazardous waste issues (both on- and off-shore) have been fully evaluated, and remedial actions have been identified. Until this information is fully developed, the viability of project alternatives appears to be tenuous. 12

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonaby available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

7.2.2 Response for U.S. Environmental Protection Agency, Region 10

1. The need for decreased reliance on private automobiles and increased reliance on public transportation, ridesharing, and non-motorized modes (i.e., walking and bicycling) is a regional goal and is addressed in the RTP (PSRC, May 1995) and the WSF Systems Plan for 1999-2018 (June 1999). Both of these plans identify the need for improved and expanded ferry service, bus service, and rail transit service, as well as the facilities needed to support these services. As noted in the Chapter 1, Purpose of and Need for the Action, of this EIS, the proposed Edmonds Crossing Multimodal Center Project would provide numerous opportunities for reducing the reliance on single-occupancy vehicles and encouraging the use of alternative modes of transportation. A fully functional rail terminal and ample bus facilities, along with coordinated schedules, would greater facilitate the transfer between these nonautomobile modes and between those modes and the ferries. Ample parking would be provided on site to further encourage commuters to use the nonautomobile modes available at the center. Bicycle and walkway facilities would be available along both the center access road and the ferry-holding lanes to ensure access to the multiple modes that will be available at the project site.

2. Table 7-1 indicates the approximate distance and walking time from various points to the alternative sites. Modified Alternative 2 (the Point Edwards site) includes a moving sidewalk (the concept of a people mover has been dropped in favor of a more reliable moving sidewalk) that would provide service between the ferry loading area and the multimodal center; walking to the moving sidewalk would take at most 3 minutes from the various facilities in the multimodal center.

Table 7-1
Edmonds Crossing Pedestrian Distance and Walking Time to Ferry

Alternative	Main Street/ 3rd Avenue		Bus Drop-Off Point		Rail Platform		Car Drop-Off Point	
	Distance (miles)	Time (minutes)	Distance (miles)	Time (minutes)	Distance (miles)	Time (minutes)	Distance (miles)	Time (minutes)
1 (No Action)	0.3	6	0.1	3	0.3	6	N/A	N/A
2 (Point Edwards)	1.0	21	0.4	9	0.3	6	0.3	6
3 (Mid-Waterfront)	0.6	14	0.3	8	0.3	8	0.2	5

N/A: The existing Main Street ferry terminal does not have a car drop-off facility. Informal car drop off occurs at a number of locations, most of which are relatively close to the terminal entrance.

Community Transit would extend existing routes to serve the multimodal center; bus routes would be revised to terminate at the multimodal center near the rail station and parking facilities. WSF plans to be on 30-minute frequency, as planned with the addition of a third vessel, and Community Transit on 15-minute frequency by 2005.

It is anticipated that Community Transit would extend existing routes that serve the Senior Center on Railroad Avenue to provide a frequent local

circulator service between downtown and the multimodal center; Modified Alternative 2 includes new bus stops along Admiral Way immediately to the west and across the railroad tracks from the center. Relocation of the terminal would help the City of Edmonds meet the planned growth scenario contained in its comprehensive plan.

3. As described in the *City of Edmonds Bikeway and Walkway Plan* (City of Edmonds, 1992) and the Pedestrians and Bicycles sections of Edmonds Crossing Final EIS, bikeways on SR 104 and Dayton Street are planned that would provide access to the alternatives. The Point Edwards alternative would include a separate 6-foot-wide corridor along each side of realigned SR 104. Pedestrian and bicycle access to the ferry pier and multimodal center would be along Dayton Street under the Mid-Waterfront alternative. Because most of the ferry traffic would be diverted away from Edmonds Way, pedestrian and bicycle movement to the waterfront area would experience fewer conflicts with ferry traffic.

4. Increased terminal throughput capacity for vehicles is required to meet the continued growth of the region. Collocation of all forms of available public transportation would provide travelers the opportunity to use something other than their single-occupancy vehicle. The facility would provide the ability for public transportation providers to encourage the use of their facilities through various incentives. Without the multimodal terminal, it would be much more difficult to attract people away from their vehicles because of the difficulty of using multiple systems at multiple locations without coordinated service. Also see the Response to Comment No. 1 above.

5. The need for decreased reliance on private automobiles and increased reliance on public transportation, ridesharing, and nonmotorized modes (i.e., walking and bicycling) is a regional goal and is addressed in the PSRC's RTP and the WSF's Long-Range Systemwide Plan. Both of these plans identify the need for improved and expanded ferry service, bus service, and rail transit service, as well as the facilities needed to support these services. All of these services and facilities are to be developed with the goal of reducing reliance on private autos; however, it should be recognized that the extent to which this goal can be achieved is determined by how the transportation system functions, and not by the operation of individual components of the system (e.g., the Edmonds Crossing Transportation Center).

   Ridership forecasts for the ferry, bus, and future commuter rail systems are reported and analyzed in the PSRC's RTP and WSF's Long-Range Systemwide Plan. These plans describe the volumes and types of travelers, their origins and destinations, and the volumes and types of vehicular traffic. For purposes of the Edmonds Crossing project impact analyses, these travel demands and flows were converted to forecasts of the person volumes and traffic volumes expected to use the proposed facility. The traffic forecasts used for the impact analysis are described in Appendix B, Off-Site Traffic Analysis.

   Additional information regarding ferry users has been provided by the results of a voluntary onboard survey conducted for WSF on the Kingston-Edmonds and Bainbridge-Seattle ferry routes in January 1999 (Pacific Rim Resources

and Market Data Research Corporation, 1999). The self-selected survey respondents included 739 passengers on the Kingston-Edmonds route who were riding the ferry during the weekday morning peak hour. Because the survey sample did not include weekend or weekday off-peak time periods, it does not represent an accurate cross section of all ferry riders on the Kingston-Edmonds route. Of those who responded, 72 percent indicated they ride the ferry four or more times weekly, and 82 percent said they use the ferry for regular travel to work or school. Regarding trip origins, 37 percent of the riders started their trip in the Kingston area, 46 percent elsewhere in Kitsap County, 10 percent in Jefferson County, 4 percent in Clallam County, and 1 percent in Mason County. The travel destinations mentioned by respondents were Snohomish County (23 percent), Seattle outside the downtown area (23 percent); Edmonds (20 percent); downtown Seattle (12 percent); elsewhere in King County (16 percent); and smaller percentages to Whatcom, Skagit, Pierce, Yakima, Clallam, and Kittitas Counties, and British Columbia.

6. The Edmonds Crossing project would serve projected transportation needs in a manner consistent with adopted state, regional and local laws, plans and policies, including the Washington State GMA, WSF's Systems Plan for 1999-2018 (System Plan) (1999), PSRC's Vision 2020 (1995), Kitsap County's comprehensive plan (1998), Kitsap Transit's 1998-2004 Transit Development Plan (1998), and the Kingston Traffic Design Study (Hewitt Isley *et al*, 1990).

   The WSF's System Plan provides for planned service expansion to maintain adopted levels of service through the 2015 forecast period, which is specified as a one-boat wait for customers on the Kingston-Edmonds ferry route. Establishing levels of service and planning capital facilities to maintain those levels of service is a requirement of the GMA of 1991. The WSF System Plan was designed to accommodate growing passenger demand, to reduce the proportion of travelers who bring a vehicle onboard the vessel, and to provide quicker cross-Sound service.

   As noted in Chapter 1 of the Edmonds Crossing EIS, "The PSRC has based its Transportation Element of Vision 2020 on the Edmonds-Kingston ferry service growing to support the allocation of population within the region." Statewide population growth estimates are generated by the Washington State Office of Financial Management and distributed to substate regions, including the central Puget Sound region. PSRC and other regional planning organizations then work cooperatively with local jurisdictions to allocate and plan for forecast growth within their respective planning areas.

   The control of land use development is the responsibility of local jurisdictions, including preserving environmentally critical areas, determining appropriate land use densities, enacting and enforcing zoning ordinances, and permitting building consistent with land use controls. Kitsap County adopted its revised countywide comprehensive plan in May 1998, and submitted it for review and validation by the Growth Management Hearings Board. The Board approved the plan in February 1999. Urban growth boundaries for the County's communities, including Kingston, have been reduced from previous versions of the plan to encourage compact urban development, efficient land utilization, and cost-effective urban service provision. Urban densities are allowed only in

areas served by sewer systems and other urban services. Areas without these services are maintained in large lot zoning and urban densities are not allowed.

The Kingston Community Design Study was prepared to "develop a community vision to guide the future development of Kingston, and an urban design plan to implement that vision." The study's recommendations were incorporated within the Kitsap County-Wide Comprehensive Plan as the Kingston Community Plan. Goals of the study include protecting environmental quality, building a sense of community, preserving small town character, protecting rural character of open lands, defining Kingston's edges, preventing urban sprawl, integrating land use patterns and circulation systems to be mutually supportive, better managing ferry traffic and downtown parking, and improving public transit. More specific policies are provided for the UGA, Community Transition Areas, and areas outside the UGA.

Kitsap Transit's 1998-2004 Transit Development Plan documents the agency's 6-year operating and capital program to serve the transportation needs of its growing service area. Among its planned objectives are the implementation of a joint fare pass program with WSF and King County Metro for cross-Sound trips, continued emphasis on bus service connections with ferry routes, and an expanded bus fleet and park-and-ride lot capacity, including George's Corner in Kingston.

7. The Seattle-Kingston passenger-only ferry service will not have a substantial impact on the existing travel in the Edmonds-Kingston corridor. WSF developed systemwide travel data using origin-destination studies that were input to an EMME2 forecast model. The Washington State Ferries System Plan for 1998-2018 relies on this model to guide the policy decisions for future facility development (December 1998). Neither the model nor the System Plan indicates a substantial amount of travel demand for the Edmonds-Kingston ferry connecting from Edmonds to Seattle. With the implementation of commuter rail service, this may change, but it is likely that the passenger-only ferry between Kingston and downtown Seattle will carry a majority of this travel demand. The existing Kitsap Peninsula to Seattle travel demand is for the most part currently using the Bainbridge-Seattle service. Implementation of the Kingston-Seattle passenger-only ferry service is expected to redirect a number of Bainbridge-Seattle trips and will create additional trips by providing a new commute opportunity.

8. A summary of the traffic analysis is provided at the end of Chapter 2 of the Final EIS (Section 2.8, Transportation Analysis of Alternatives). The complete traffic analysis (Appendix B, Off-Site Traffic Analysis), which focused on off-site traffic conditions and impacts, was updated in 2002 based on current data and the City of Edmonds traffic frequency modal.

9. Impacts of increased ferry traffic in Kingston, Kitsap County, and the Olympic Peninsula are not impacts of the Edmonds Crossing Project; rather, they are impacts of increased ferry service and increased population and employment in those areas. These impacts are addressed by the WSF System Plan and the comprehensive plans of Kitsap County and the Olympic Peninsula counties.

Impacts of ferry traffic on State highways, Edmonds city streets, and other city and county streets are defined and analyzed in detail in the Off-Site Traffic Analysis (Appendix B). As summarized in the "Off-Site Traffic Conditions" in Chapter 2 of the EIS "Transportation Analysis of Alternatives," the Edmonds Crossing project is designed to accommodate travel demand anticipated through the year 2030. Traffic conditions in all future scenarios reflect the increased ferry service frequencies (30 versus 40 minutes) and larger vessel capacities planned for the future. As indicated by the Draft EIS, increased frequency of ferry service would occur regardless of the Edmonds Crossing project. The increased frequency of service is necessary to serve the planned growth and development of the urban communities surrounding Puget Sound and is consistent with the plans described above in the Response to Comment No. 6.

10. Based on this and other similar comments, the project team (FHWA, WSDOT, and City of Edmonds representatives) initiated an extensive consultation and coordination process with the Suquamish, Tulalip, Lummi, and Swinomish tribes. As a result of several one-on-one and group discussions, the ferry pier has been realigned (north of the Draft EIS alignment) to straddle the boundary between Marina Beach Park and the Port of Edmonds. By doing so, ferries would operate along the north side of the SMA 9/10 boundary, thus eliminating the potential conflict with tribal fishing operations at the northern end of SMA 10. The Suquamish Tribe has indicated that the design modifications are an improvement over the preferred alternative identified in the Draft EIS.

    The issues of potential impacts to tribal fishing areas is important, and, based on this and other similar comments, the related material in the Draft EIS has been organized into separate sections of Chapters 3 and 4 of the Final EIS, Section 3.3.6 and Section 4.15, titled "Tribal Fishing," and enhanced as appropriate to reflect the results of the consultation process discussed above.

11. The existing Main Street ferry terminal would be partially removed (the wooden portion of the pier to the water side of the concrete abutment); the remaining part would be refurbished for use as a City park, providing public access to the Puget Sound and supporting activities at the underwater park immediately adjacent to the dock. The ferry dock bulkheads, transfer span, overhead pedestrian loading, dolphins and related facilities would be removed and reused at other WSF facilities. The vehicle pier, restrooms, and similar facilities would be left to become part of the City park.

12. The results of the studies conducted at the Point Edwards site following publication of the Draft EIS have been included in the Final EIS. These studies include a subsurface investigation at the Edmonds Marina Beach Park (CH2M HILL, 2000a and 2000b) and a sediment investigation conducted in the subtidal area in the vicinity of the UNOCAL pier and the two outfalls located north of the pier (CH2M HILL, 2000c). No contamination requiring action was identified on shore or off shore. A number of interim remedial actions have occurred or are ongoing at the UNOCAL site that have resulted in significant reduction of site contamination, including the following:

- **Lower yard interim remedial action 2001 to 2002.** Action included excavation of free petroleum product and associated petroleum-contaminated soils from four areas. UNOCAL reports that ongoing groundwater monitoring documents absence of free product to date in these areas.

- **Upper yard remedial action 2002 to 2003**. Excavation of and off-site disposal of contaminated soils began in July 2002 and is expected to be completed in spring 2003. Ecology expects to certify the upper yard clean-up by summer/fall 2003.

- **Lower Yard Detention Basin No. 1 remedial action (ongoing).** Planning for an interim remedial action to excavate petroleum-contaminated soils from Detention Basin No. 1 is in progress. Work is expected to begin summer 2003.

The schedule for the completion of the UNOCAL RI/FS is now late 2003. According to the Ecology site manager, a final clean-up action plan for the lower yard is expected by summer 2004 and clean-up completed by summer/fall 2005.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

ER-98/149

Mr. Gene Fong
Division Administrator
Federal Highway Administration
711 South Capitol Way, Suite 501
Olympia, Washington 98501

Dear Mr. Fong:

This is in response to the request for the Department of the Interior's comments on the Draft Environmental Impact Statement (DEIS)/Section 4(f) Evaluation concerning the SR 104, Edmonds Crossing project located in the City of Edmonds,Snohomish County, Washington.

Section 4(f) Evaluation Comments

We concur that there is no prudent and feasible alternative to the proposed project, if project objectives are to be met. We also concur with the proposed measures to minimize harm to park and recreation resources.

The statement correctly indicates that the Olympic Beach Park/Fishing Pier falls under the protection of Section 6(f) of the Land and Water Conservation Fund Act of 1966, as amended. If Alternative 3 (Mid-Waterfront Site) is selected as the Preferred Alternative, a request for conversion and replacement of parklands from the Olympic Beach Park/Fishing Pier should be made through Ms. Laura Echert Johnson, Director, Interagency Committee for Outdoor Recreation, Post Office Box 40917, Olympia, Washington, 9504-0917; telephone 306-902-3003, fax # 360-902-3026. Please note that the National Park Service will consider a conversion request under Section 6(f) only after Section 4(f) approval of the proposed project by the Department of Transportation.

All mitigation measures to park and recreation resources should be coordinated with and approval by the authorities having jurisdiction over those resources, and evidence to that effect should be documented in the Final Section 4(f) Evaluation.

Environmental Statement Comments

General Comments

The project proposes relocating the existing State ferry terminal, realigning SR 104 and establishing a multi-modal center to integrate the ferry, rail, and transit services. The proposed project would result in the direct loss of 0.51 acre of wetlands, 0.3 acres of wetland buffer, 5.8 acres of upland forest, and shading impacts on 3.4 acres of marine habitat, including 0.7 acres of macro-algae. Eelgrass occurs within the vicinity of the UNOCAL (Union Oil Company) pier; however, the DEIS states that impact to this species is not anticipated. The Preferred Alternative would relocate the ferry terminal to the existing UNOCAL pier. The Fish and Wildlife Service (FWS) has provided comments on the preliminary DEIS (PDEIS). Most of the FWS's PDEIS comments have been addressed in the DEIS. Outstanding issues are reiterated below.

1 Mitigation proposed for wetlands would be achieved primarily through the enhancement of the wetland buffer adjacent to Edmonds Marsh and excavation and planting near detention pond number 1. Sufficient information is needed to determine whether the proposed mitigation is adequate to compensate for the potential impacts. The FEIS should clarify whether the proposed mitigation is hydrologically connected to a detention pond because detention ponds can not support habitat sufficiently to mitigate for wildlife and fish habitat impacts. In addition to the mitigation measures stated in the DEIS, the FEIS should address

2 removal of exotic species from the marsh and buffers as part of the enhancement measures. Furthermore, we understand that the proposed project requires a Section 404 permit from the U.S. Army Corps of Engineers under the Clean Water Act. The need for a proposed permit should be addressed in the FEIS.

3 Indirect wetland impacts may occur due to changes in groundwater and surface hydrology. For example, increased freshwater flows into Edmonds Marsh may alter its salinity and subsequently the vegetative and faunal components of the wetland system. The DEIS identifies this potential impact, but it does not address corrective measures, mitigation, or monitoring. If these indirect impacts are likely to occur, they should be addressed in the FEIS. The FEIS should describe the indirect impacts that are likely to occur, and make a commitment to monitor these impacts and implement corrective measures and migration if indirect impacts would occur.

4 In its comments on the PDEIS, the FWS recommended that mitigation for increased shading from the new pier include the entire or partial removal of the existing ferry landing. The DEIS does not adequately address this mitigation proposal or propose any alternate mitigation. The Department recognizes removal of the existing facility may conflict with the proposal of the City of Edmonds to use the pier as a public fishing pier. Without mitigation for this impact, the proposed project would likely result in a net loss to marine species. The FEIS should address the need for additional mitigation.

5 The FEIS should include a table which lists acreage of impact to aquatic resources and upland habitat and identifies the proposed mitigation for the impact acreage. The affected acreage should be listed by type (e.g., forested, emergent, subtidal), and the FEIS should also state whether impacts are temporary or permanent and whether they are direct or indirect.

6 The proposed project would remove a portion of the buffer at Edmonds Marsh which includes upland forested habitat utilized by great blue herons as a daytime roost site. The DEIS assumes these great blue herons would be temporarily displaced or would establish new roosts elsewhere during the project construction. It further assumes they would adapt to the increased noise or use other suitable roost sites following project completion. The FEIS needs to further address measures to reduce impacts to the great blue heron roost site and include a commitment to the measures. Measures should include but not be limited to: 1) retention of the existing buffer, 2) provision for additional noise and visual buffers, and 3) establishment of a limit on human presence near the roosting sites. Although as stated in the DEIS, great blue herons may adapt to major noise sources (e.g., a railroad), the FEIS should recognize their sensitivity to human activities and response to human presence.

7 The FEIS needs to specifically address potential impacts to the Hood Canal summer chum salmon and Puget Sound chinook salmon. Both species were recently proposed for listing as threatened under the Endangered Species Act of 1973, as amended (ESA). The Federal Register (Vol. 63, No. 45/Monday, March 9, 1998) may be consulted for further information on the proposed listing of these species.

8 The FWS previously requested information on contaminants in marine sediments offshore at the UNOCAL site and their potential effects to fish and wildlife resources. Since samples of marine sediments have not yet been collected, we advise conducting a property-specific Environmental Site Assessment. Results of such an assessment should be included in the FEIS to provide the necessary information to evaluate and determine the effects of contaminants to fish and wildlife resources.

Specific Comments

9 Page 4-44, top of a paragraph, last three sentence: The DEIS states that a greater population of barnacles and mussels may result in greater biomass of fish and invertebrates which feed on them. Substrate in the immediate vicinity of the new pier would shift toward shell fragments. Because two factors (shading and substrates), although not equivalent, offset each other to some degree, the overall impact would likely be negligible. We do not concur with this analysis. We conclude shading is likely to result in loss of macro algae, which supports a different suite of organisms from that which utilizes the organisms on the pilings. No specific mitigation is proposed to offset shading impacts. The DEIS proposes to develop and implement a long-term monitoring program to track the effects of ferry operations on marine resources near the new terminal and recovery at the old terminal. In addition to the proposed monitoring, the FEIS should include mitigation for project impacts assessed during this monitoring.

10 Page 4-55, Threatened and Endangered Species: The Washington Department of Transportation has provided a finding of not likely having adverse effect on the bald eagle and marbled murrelet. The Federal Highway Administration must concur with this finding in order to be in compliance with the ESA. The FWS's letter of March 19, 1997, should be consulted.

11 Page 4-149, Alternative 2, first paragraph, last sentence: The FEIS should specifically state the purpose of the dredging and quantity of material expected to be removed.

12 Page 4-153, Mitigation Measures, second paragraph, third bullet: The FEIS should specify using mechanical means rather than herbicides to control unwanted vegetation in the mitigation sites. However, appropriate herbicides may be used to control reed canary grass if non-chemical means of control fail.

Summary Comments

13 The Department of the Interior has no objection to Section 4(f) approval of this project by the Department of Transportation, providing that the mitigation measures to park and recreation resources are adequately documented in the Final Section 4(f) Evaluation.

We appreciate the opportunity to provide these comments.

Sincerely,

Thomas M. Martin

for Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

cc: Mr. John Okamoto
Regional Administrator
Washington State Department
of Transportation
15700 Dayton Avenue North
Seattle, Washington 98133-9710

7.2.3 Response for U.S. Department of Interior, Office of the Secretary

1. The proposed wetland buffer mitigation area adjacent to (east of) what is currently called detention pond 1 would not involve creation of new wetland areas (the only project impacts on wetlands would be buffer impacts), and therefore the mitigation would not involve any hydrologic links to the detention pond. Detention pond #1 may be reconfigured to an extent to better serve for treatment of runoff from the developed site. The current plan for this treatment facility involves creation of a stormwater treatment pond, perhaps in the configuration of a wetland, in accordance with Ecology design requirements. This stormwater treatment pond would not be directly linked to Edmonds Marsh. The outlet of the stormwater treatment pond would be on the west side of the pond, discharging flows directly to Puget Sound via the existing Willow Creek culvert.

2. The mitigation measures in Section 4.8, Wetlands, have been modified to include removal of exotic species in the vicinity of the detention pond #1. Removal of exotics is also included in the mitigation measure providing enhancement along the southern margin of the Edmonds Marsh.

3. Increased freshwater inputs to Edmonds Marsh are not anticipated under that alternative. During typical storm events, runoff flows from the Point Edwards site would be directed into the existing Willow Creek culvert downstream of Edmonds Marsh for direct discharge to Puget Sound. The existing Willow Creek culvert would otherwise be abandoned as a result of daylighting the creek channel. At times of relatively high tides, some of the flow in Willow Creek would back up into the marsh, independent of on-site strormwater runoff discharges.

   As part of the Modified Point Edwards alternative described in the Final EIS, a new tide gate is proposed on Willow Creek to prevent extreme high tides from causing flooding on properties adjacent to Edmonds Marsh. While closure of the tide gate could result in minor short-term increases in freshwater content in the marsh, the long-term effects of leaving the tide gate open most of the time would return the marsh to a more saltwater character. If heavy rainfall coincides with closure of the tide gate and Willow and Shellabarger Creek flows cause the water level to rise in Edmonds Marsh, City staff will have to determine whether tide water or stream flows are a greater threat for flooding adjacent properties.

4. The Point Edwards alternative has been modified to reduce substantially the amount of new overwater shading that would be caused by construction of the new terminal. Portions of the existing Main Street ferry terminal (the transfer span, pedestrian overhead loading, and related facilities) would be removed, reducing the amount of overwater shading. That part of the existing pier on the concrete abutment would remain and would be converted to a park.

5. Table 4-9, listing impact acreage by type of habitat, has been added to Section 4.9, Vegetation, Fish, and Wildlife.

   Table 4-10 in the Final EIS lists the impacts of the project on aquatic habitats. All areas listed are for permanent impacts. The temporary impact zone is

negligibly larger and impossible to quantify. Since mitigation measures arguably outweigh the impacts, identifying the temporary impact zone was not considered necessary.

6. The Point Edwards alternative has been modified in response to comments received on the Draft EIS. As part of the modifications, the terminal access road located along the southern edge of Edmonds Marsh has been realigned to provide an increased buffer for the wetlands and the great blue heron nests. Additional mitigation measures regarding buffer enhancement, screening, and fencing have been included in the Final EIS (for details, see Section 4.8, Wetlands, and Section 4.9, Vegetation, Fish, and Wildlife).

7. The analysis in the EIS has always been focused on fall chinook. Hood Canal summer-run chum, while affected similarly, would not be even remotely expected to exist in the project area.

8. A study of the marine sediments offshore of the UNOCAL site has been conducted since the publication of the Draft EIS. The work was conducted in accordance with a work plan (CH2M HILL, 2000d) approved by the Washington State Department of Ecology. A description of the study and the results of the sampling and analysis of the marine sediments are included in the *City of Edmonds Sediment Investigation Report* (CH2M HILL, 2000c). The sediments in the vicinity of the UNOCAL dock, the two outfalls, and other sampling locations at Point Edwards were found to be uncontaminated. The Department of Ecology issued a letter of agreement with the findings (December 29, 2000). The results of the sediment investigation are included in the Final EIS. The data is not included in the Final EIS, but is incorporated by reference to the *City of Edmonds Sediment Investigation Report* (CH2M HILL, 2000c).

9. Because of the extensive changes to the project design and subsequent analyses, this comment is no longer applicable. The argument of comparing offsetting benefits/impacts of dissimilar habitat types is no longer made in the analysis. In addition, the mitigation package has been substantially expanded since the Draft EIS. Please refer to the responses to WDFW comments for additional explanation of these points.

10. Comment acknowledged. The "Threatened and Endangered Species" discussion in Section 4.9, Vegetation, Fish, and Wildlife, has been updated to indicate that the Federal Highway Administration has concurred with the Determination of Effect of the Biological Assessment.

11. The Draft EIS incorrectly stated that dredging would occur in conjunction with pier construction activities at the Point Edwards alternative. Section 4.7, Water Quality, of the Final EIS has been revised to remove any reference to dredging.

12. The water quality mitigation measures for construction activity impacts in Chapter 4 of the Final EIS have been updated to state that mechanical means of vegetation clearing are preferred.

13. Appropriate measures to mitigate identified impacts are documented in the Final Section 4(f) Evaluation.

FISHERIES DEPARTMENT
Area Code (360)
598-3311
Fax 598-4666

THE SUQUAMISH TRIBE
P.O. Box 498 Suquamish, Washington 98392

April 16, 1998

Mr. Dale Morimoto
WSDOT - MS 138
P.O. Box 330310
Seattle, WA 98133-9710

Re: Draft Environmental Impact Statement (DEIS), SR 104 Edmonds Crossing WSDOT ferry terminal.

Dear Mr. Morimoto:

The site for this proposal impacts the Usual and Accustomed Fishing Area of the Suquamish Tribe. The Tribe opposes any adverse impacts to treaty-reserved rights to harvest natural resources within this area. Due to outstanding issues which may adversely affect the Suquamish people, the Tribe does not presently support the preferred alternative. The Tribe's concerns are:

1. Alternatives 2 and 3 will likely adversely impact treaty-reserved fishing rights by routing ferry traffic along the boundary between Salmon Management Areas 9 and 10. This area is heavily used by Tribal fishery operations.

1 2. The UNOCAL site remains contaminated after years of fuel storage and distribution. Marine sediment sampling and remediation planning is not completed, yet the DEIS concludes that there will be no impact from this activity.

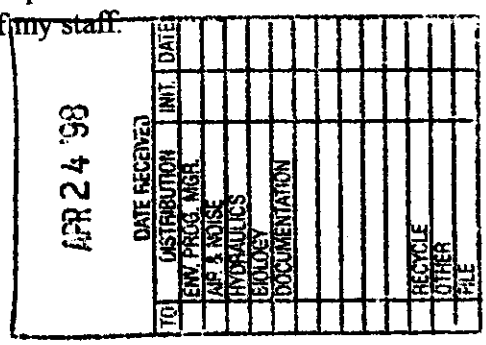
2 3. In February 1998, Puget Sound fall chinook and summer chum salmon were proposed to be listed under the Endangered Species Act. This document does not discuss ramifications of the proposed listing on project planning and implementation.

We have enclosed specific comments regarding the February 1998 Draft Environmental Impact Statement. Also enclosed is past correspondence regarding this project which we are again submitting to be included as part of the record.

Thank you for the opportunity to provide comment on this proposal. We remain available for further discussions, and expect to submit additional comments as the project proceeds. Should you have additional questions please contact Jay Zischke or Phyllis Meyers of my staff.

Sincerely,

Randy Hatch
Fisheries Director



SUQUAMISH TRIBE
SPECIFIC COMMENTS
DRAFT ENVIRONMENTAL IMPACT STATEMENT, SR 104 AND EDMONDS CROSSING,
FEBRUARY 1998

3 Page S-10. **Areas of Concern/Unresolved Issues**
The first two bullets listed under this section refer to unresolved treaty fishing issues regarding the projects proximity to the line between Salmon Management Areas 9 & 10 (Apple Cove Point to Point Edwards). There are a number of fishery management as well as navigational concerns which would arise as a result of alternatives being considered. This issue was brought to the proponents attention in November of 1994. No subsequent discussions with the Suquamish Tribe have occurred since that time to resolve this concern. The characterization that, "Discussions among all concerned parties are continuing to resolve this issue" is neither accurate nor acceptable. This issue remains a significant concern regarding the potential impacts of both Alternatives 2 and 3.

4 Page S-23. Table S-1, Transportation, Alternative 2.
The last sentence referencing the enforcement of the Coast Guard ½-nautical-mile exclusion zone is inaccurate. Treaty reserved rights (U.S. v. WA) guarantee not only the right to fish, but the reserved right to access fish within a Tribe's Usual and Accustomed fishing area. While individual Tribes may choose to respect navigational safety zones, they may also conclude a particular geographic usual and accustomed region is too important to close during a particular fishery. The words "and tribal" in the last sentence should be deleted.

5 Page S-25. Table S-2, Waterways and Hydrological Systems, Alternative 2.
This table only discusses increases in peak rates and volumes of stormwater runoff entering Willow Creek. The table should include impacts to Edmonds Marsh as well. Page 4-22 discusses increases in peak rates and volumes of stormwater runoff entering both Willow Creek and Edmonds Marsh..

6 Page S-27. Table S-2, Wetlands, Alternatives 2 and 3.
On page 4-37, Table 4-5 lists acres of wetlands that will be impacted for alternatives 2 and 3. Acreage figures should also be included in Table S-2.

7 Page 1-5. Figure 1-2.
How will passenger-only service from Kingston to downtown Seattle impact daily ferry ridership between Kingston and Edmonds? This issue should be discussed in Section 1.

Page 2-26. Marine Transportation

8
- The third paragraph references the Port of Edmonds 1996 master plan, which, should it be developed as proposed, would require removal of the third slip at Point Edwards. Loss of the third slip would suspend service during strong southerly wind and sea conditions. This appears to be a significant conflict with the long term objectives and viability of the Point Edwards alternative. The Environmental Consequences chapter discusses the relationship to existing plans and policies, yet does not discuss this issue. Is this being addressed with the Port of Edmonds?

9 • Paragraph 4. This paragraph attempts to address navigational conflicts between commercial fishing vessels and ferries. For the Tribe to best evaluate the potential impacts of these alternatives, this document needs to include the proposed ferry course and schedule for each alternative in relation to Salmon Management Areas 9 & 10. Without this information, determination of potential impacts to fishing is not possible.

10 • While not discussed here, each alternative has very different marine weather exposure. Point Edwards is considerably more exposed to prevailing winds and therefore, marine weather complications. Some analysis of this issue should be provided in terms of facility maintenance costs, navigational safety, and service delays.

Affected Environment

11 Page 3-53. Commercial Fisheries/Tribal Concerns.
The first paragraph under this section is inaccurate. Salmon are not the only species targeted for a commercial fishery in the Edmonds vicinity. Dungeness crab and shrimp are open commercially to both Indian and non-Indian fishers. The Suquamish Tribe also has this region open to the commercial harvest of bottom fishes.

Page 3-56

12 • Paragraph 3, 2nd sentence. Typo. Replace "midsouth" with "midsound."

13 • Bulleted catch totals. It is unclear what these totals represent. Is this average annual total tribal catch? The data source for this information is not cited here, nor in Appendix L.

14 Page 3-63. Threatened and Endangered Species.
In February 1998, Puget Sound fall chinook and summer chum salmon were proposed for listing under the Endangered Species Act. This document does not discuss impacts and mitigation required should these species be listed as endangered or threatened. This issue needs to be discussed under this section as well as the Environmental Consequences chapter.

15 Page 3-105. Hazardous Waste.
The Tribe is concerned over the number of sites and potential magnitude of hazardous contamination on the UNOCAL property. In particular, the DEIS states in at least three locations that "no information is currently available on possible contamination of marine sediments...in the vicinity of the existing UNOCAL pier."(pages 3-105 through 3-107) This is followed by reference to summarized findings from the Waterways and Hydrological Systems Discipline Report of Point Edwards prepared for the DEIS. The conclusion that this is a "high energy marine environment" and therefore there is a "low probability" of substantial marine sediment contamination, is not acceptable. Given the extensive marine disturbance necessary for both alternative 2 & 3, marine sediment sampling for both the high energy UNOCAL site and the lower energy mid-waterfront site (where contaminants may have accumulated under high energy conditions at UNOCAL) should be analyzed to adequately evaluate potential marine environmental impacts. Page 3-108 also states that historic photographs indicate the

15 UNOCAL site previously entered Puget Sound further north in the vicinity of the mid-waterfront alternative. Other past uses of this site would suggest marine sediment analysis would be a prudent step in evaluating potential marine impacts.

Environmental Consequences

Page 4-29, Alternative 1, last paragraph.
16 This analysis states that the No Action Alternative would probably have the greatest impact on groundwater quality. Is cleanup/remediation of the UNOCAL property part of this proposal? If remediation would be done independently of this proposal, impacts of the No Action Alternative would likely be less than Alternatives 2 or 3.

Page 4-44, last paragraph and sentence.
17 Based on the information provided, the Suquamish Tribe does not agree with the conclusion that "The project would have no adverse effect on sediment or water quality." Pages 3-103 through 3-107 discuss contaminants found during sampling of groundwater, surface water, and stormwater. No sampling has been conducted in the intertidal or subtidal areas offshore. It is premature to conclude there will be no adverse effects on sediments or water quality, when sampling is incomplete and remediation has yet to be determined.

Page 4-46, paragraph 2.
18 The Tribe strongly disagrees with the statement, "Although the presumption of a negative impact is based largely on conjecture, a minor impact is possible, but unlikely." The last sentence in this paragraph states that the predation impact on juvenile salmonids from a wider ferry pier is unknown. If the impact is unknown, how can it be unlikely?

Page 4-46, paragraph 3.
19 The Tribe does not concur with the statement that, " The placement of the ferry terminal at Point Edwards is likely to cause a small negative impact on commercial fishing operations." As described in comments above, as well as recognized in the DEIS, the analysis of this issue has not been fully completed and remains unresolved. Not only do commercial fisheries for species other than salmon exist, the potential impacts to salmon fishers is dependent on both modifications to the ferry route and schedules, neither of which are provided in the DEIS.

Page 4-55. Threatened and Endangered Species
20 The DEIS acknowledges the presence of andromous fish species proposed to be listed under the Endangered Species Act. The National Marine Fisheries Service's (NMFS) letter of July 2, 1996 (Appendix J) states that a conference or consultation may be required once a species is proposed for listing. Any required conference or consultation with NMFS must occur before project implementation, and should be discussed in the Final EIS.

7.2.4 Response for The Suquamish Tribe, Fisheries Department

1. The EIS has assumed that construction work for the project would be initiated after cleanup. However, because there is a potential to encounter contamination not previously identified at the site, impacts are identified. These impacts are discussed in Section 4.16, Hazardous Waste.

2. The proposed listing of Puget Sound chinook and chum salmon was not discussed in the Draft EIS because it was prepared prior to notice by the NOAA Fisheries of the proposed listing. The Section 4.9, Vegetation, Fish, and Wildlife of the Final EIS have been updated in response to the proposed listing, and a Biological Assessment for fall chinook and summer chum has been prepared for NMFS.

3. As a result of this and other similar comments, the project team (FHWA, WSDOT, and the City of Edmonds) initiated an extensive consultation and coordination process with the Suquamish Tribe, as well as with the Tulalip, Lummi, and Swinomish tribes. The result of that process was the development of Modified Alternative 2. Ferry operations were moved to the north side of the SMA 9/10 boundary, thus eliminating potential conflicts with tribal fishing activities that occur at the northern end of SMA 10. The Suquamish Tribe was particularly active during the consultation and coordination process; it was, in fact, a representative of the tribe who initially suggested the realignment of the ferry pier out of SMA 10.

4. The discussion regarding the U.S. Coast Guard nautical exclusion zone has been deleted. The Coast Guard has indicated that it would not enforce the exclusion regulations unless a ferry captain requested it. That would only happen if nets were blocking the terminal. As long as SMA 9 is closed to commercial fishing, there should not be a conflict.

5. Table S-3 of the Final EIS includes mention of the slight increase in runoff volumes in Edmonds Marsh.

6. Tables S-2 and S-3 of the Final EIS identified the area of wetlands affected by the proposed project.

7. See Response to Comment No. 7 to the EPA letter.

8. The consistency of the proposed project with the Port of Edmonds Strategic Plan and Master Plan (Port of Edmonds, 2001) is discussed in Section 4.10, Land Use of the Draft EIS and in somewhat more detail in Chapter 6, Section 4(f) Evaluation.

   The development of a new multimodal facility at Point Edwards would not conflict with, and would not be precluded by, implementation of the Port's currently adopted plan. Furthermore, the proposed entrance at the south end of the Port of Edmonds Marina proposed in the Port's 1986 plan, is not included in the 2001 plan.

9. A typical ferry route is shown in Figure 4-17. The ferries tend to maneuver within a corridor on either side of this route. However, there is no set path or alignment for each ferry crossing, and the ferry's path is often dependent on small craft as well as deep draft vessels in the vessel traffic system (VTS) lanes. Westbound ferries tend to depart directly offshore and thus initially stay well north of a direct line between Kingston and Edmonds. Eastbound ferries tend to stay south of a direct line and then turn to a more northerly heading, thereafter aligning with one of the slips, depending on the weather. During strong southerlies, in the absence of other vessels, it is anticipated that the eastbound ferry would follow the path shown in the Transportation discipline report to end up on an alignment for docking at the south facing slip. Table 7-2 contains a projected ferry schedule.

Table 7-2
Projected Ferry Schedule Edmonds, 0-Minute Headway Service
Edmonds Crossing Terminal

Year 2005		Year 2015	
Arrive	**Depart**	**Arrive**	**Depart**
	0020		0020
0030	0050	0030	0050
0100	0120	0100	0120
0530	0550	0530	0550
0600	0620	0600	0620
0630	0650	0630	0650
0700	0720	0700	0720
0730	0750	0730	0750
0800	0820	0800	0820
0830	0850	0830	0850
0900	0920	0900	0920
0930	0950	0930	0950
1000	1020	1000	1020
1030	1050	1030	1050
1100	1120	1100	1120
1130	1150	1130	1150
1200	1220	1200	1220
1230	1250	1230	1250
1300	1320	1300	1320
1330	1350	1330	1350
1400	1420	1400	1420
1430	1450	1430	1450
1500	1520	1500	1520
1530	1550	1530	1550
1600	1620	1600	1620
1630	1650	1630	1650
1700	1720	1700	1720
1730	1750	1730	1750
1800	1820	1800	1820
1830	1850	1830	1850
1900	1920	1900	1920
1930	1950	1930	1950
2000	2020	2000	2020
2030	2050	2030	2050
2100	2120	2100	2120
2130	2150	2130	2150

Table 7-2 Projected Ferry Schedule Edmonds, 0-Minute Headway Service Edmonds Crossing Terminal			
Year 2005		**Year 2015**	
Arrive	**Depart**	**Arrive**	**Depart**
2200	2220	2200	2220
2230	2250	2230	2250
2300	2320	2300	2320
2330	2350	2330	2350
2400			

Year 2005 operates with two jumbos and one expanded Issaquah class Year 2015 operates with three jumbo class boats.

10. The Modified Revised Point Edwards Alternative site is exposed to waves from 190ºT to 030ºT and the Mid-Waterfront and existing ferry terminal are exposed to waves from about 230ºT to 030ºT. Ferry operations are affected when significant wave heights are 3.0 feet or higher. Percentage frequency of significant wave heights 3.0 feet and greater are shown in Table 7-3 for all three sites.

Table 7-3 Frequency of Significant Wave Heights 3.0 Feet and Greater			
Site	**190 to 220ºT**	**230ºT**	**310 to 030ºT**
Modified Point Edwards Site	2.01%	0.005%	0.30%
Mid-Waterfront Site	None	0.005%	0.30%
Existing ferry terminal	None	0.005%	0.30%

From 190ºT to 230ºT , the Modified Point Edwards site is expected to experience approximately 177 hours, on average, of significant waves 3 feet and higher in a year compared to less than one-half hour at the other two sites. However, the floating breakwater would eliminate waves over 3 feet at the Pont Edwards site from 190ºT to 230ºT, and, as a result, the incident of high waves would be marginally less than at the other two sites. All three locations are exposed to waves 310ºT to 030ºT; consequently, ferry operations at the Modified Point Edwards site would be about the same as they are at the existing ferry terminal.

Navigation in strong winds from 190ºT to 230ºT is expected to be easier at the Point Edwards site than at the existing ferry terminal because Slip 3 at Point Edwards would be oriented 190ºT. An approaching ferry would be heading into the wind for winds from the south to southwest, with the wind nearly on the bow for southerly winds and on the forward starboard quarter for southwesterly winds. This would make the approach easier than at the existing ferry terminal where these winds are nearly broadside on the vessel.

The floating breakwater to be placed southwest of the south slip likely would interrupt the surface ebb tidal flow, resulting in weak ebb surface currents at all three ferry slips. During ebb tidal flow, the ferry will be heading into the current during approach, with the current approaching from the forward starboard quarter, which is acceptable from a navigational standpoint. During flood tidal flow, the current would be on the aft port quarter of the ferry, pushing the ferry at an angle to the slip. However, since flood currents are generally less than 1.1 knots or so, the adverse effects would not restrict navigation in or out of the slip.

11. The context of the paragraph in question was in reference to salmon fisheries. A paragraph has been added to Section 4.9, Vegetation, Fish, and Wildlife, that references the tribal right to commercially harvest shellfish and bottom fish resources in the vicinity.

12. The text has been corrected.

13. The figures shown for chinook, coho, chum, sockeye, and pink catches from 1983 to 1992 are for the average annual catch over this 10-year period.

14. The "Vegetation, Fish, and Wildlife" sections of Chapters 3 and 4 (Sections 3.2.8 and 4.9) of the Final EIS have been revised to reference the listing of Puget Sound chinook salmon and coastal Puget Sound bull trout as threatened species and Puget Sound coho as a candidate species. The Biological Assessment (CH2M HILL, 2003) assesses the impact of Modified Alternative 2 on the species. Hood Canal summer-run chum have not been included in the Biological Assessment because the species presence in the project area is highly unlikely.

15. A study of the marine sediments offshore of the UNOCAL site has been conducted since the publication of the Draft EIS. The work was conducted in accordance with a work plan (CH2M HILL, 2000d) approved by the Washington State Department of Ecology. A description of the study and the results of the sampling and analysis of the marine sediments are included in the *City of Edmonds Sediment Investigation Report* (CH2M HILL, 2000c). The sediments in the vicinity of the UNOCAL dock, the two outfalls, and other sampling locations at Point Edwards were found to be uncontaminated. The Department of Ecology issued a letter of agreement with the findings (December 29, 2000). The results of the sediment investigation are included in the Final EIS. The data is not included in the Final EIS, but is incorporated by reference to the *City of Edmonds Sediment Investigation Report* (CH2M HILL, 2000c).

16. Cleanup of the UNOCAL site would eventually occur under the No Action alternative, but at a slower pace than if Modified Alternative 2 were implemented. Development of the site for a multimodal transportation center would expedite the cleanup process. Section 4.7, Water Quality, has been modified to clarify that ongoing contamination of groundwater would cease at some point in the future, and at that point in time the No Action alternative would have similar water quality impacts (or lack thereof) compared to the build alternatives.

17. Refer to Response to Comment No. 8 to the letter from the U.S. Department of the Interior.

18. The impact is identified as unknown because irrefutable, conclusive research has not been conducted. The impact is also identified as possibly minor but unlikely based on best professional judgment. The project's fisheries biologist has observed juvenile salmonids migrating along docks and piers extensively. The fisheries biologist has watched juvenile salmonids in the project area from the piers, boats, and underwater. In marine waters, unlike in lakes, piers do not attract ambush predators near the surface where salmon smolt are swimming. Fish that typically prey on these fish are bottom-oriented such as Pacific staghorn sculpin. There are many predators, however, that are adapted for preying of juvenile salmonids in shallow water such as herons, sculpins, and cutthroat trout (although these would also feed in open water). One could say that salmon smolt traveling along a pier apron may be more susceptible to predation by diving birds such as cormorants or grebes, but the project's fisheries biologist has never seen it, despite watching for it. This does not conclusively prove that it does happen but leads the fisheries biologist to the conclusion that a substantial impact is unlikely.

19. Since the DEIS was produced, the project design has been altered to eliminate salmon fishing and ferry operation conflicts. The language quoted has been either altered or deleted from the EIS. The ferry approach to the terminal would be from the northwest entirely within SMA 9. New text has been added to the EIS to discuss potential impacts to tribal spot shrimp fishing operations.

20. During the five years since this comment letter was received, three salmonid species have been listed for protection under ESA in Puget Sound. Consultation with NOAA Fisheries and the U.S. Fish and Wildlife Service will be conducted and concluded prior to the issuance of a ROD.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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April 20, 1998

Dale Morimoto
Environmental & Special Services Mngr
MS 138
WDOT
PO Box 330310
Seattle, WA 98133-9710

Dear Mr. Morimoto:

Thank you for the opportunity to comment on the Edmonds Crossing draft environmental impact statement (EIS). We have reviewed the EIS and have the following comments.

In general, Ecology does not oppose any of the alternatives present, but not enough information is provided in the document in order to make a thorough assessment of the environmental impacts, mitigation, or avoidance measures. We understand the preference of the City of Edmonds and Washington Department of Transportation (DOT) for alternative 2, but we are unable to compare the alternatives presented without additional information on the impacts as requested below.

Ecology is concerned about additional impacts to Edmonds Marsh, Willow Creek, and the possibility of contaminated sediments occurring offshore of Point Edwards. We are also concerned with the limited discussion provided on the rejection of expanding the existing ferry terminal as an alternative. Specific comments on these items and additional items are summarized below.

1. Expansion of Existing Ferry Terminal—Prior to commenting on a preference for any of the alternatives discussed, we will need additional information on the decision to reject expanding the existing ferry terminal as an alternative within the EIS. Ecology staff have attended meetings with DOT where this was briefly explained, and it was expressed that the decision would be fully discussed within the DEIS. Many environmental impacts associated with the existing site as presented in discussions with Ecology were not mentioned in the document. Impacts at the existing site which included shading and fill over eelgrass and macroalgae beds, and diver safety concerns at the adjacent marine park should be discussed in greater detail to assist in

1

improving environmental decisions for this project. The reasons given for rejection do not appear to be appropriate for the following reasons:

a. One of the major reasons provided in the DEIS for rejecting this alternative is that it is inconsistent with the City of Edmonds plans for future development. However, comprehensive plans can be revised if determined necessary.

   In the past, the existing terminal was consistent with the City's plans, and was stated as such in past decision documents used for expansion of SR 104. During construction of SR 104, many impacts were allowed due to the understanding that the existing ferry terminal needed additional access, and was a crucial part of the City of Edmonds and DOT transportation needs, and was consistent with the City's planning needs at the time. It is understood that the City's plans have changed, and the purpose of SR 104 for ferry access as stated during construction is no longer valid, but this information should be presented and discussed in the EIS.

1

b. The statement that "acquisition costs were significant" should be expounded. How do the acquisition costs compare to the costs of the other alternatives presented, especially after environmental costs are factored in?

c. The impacts to a 4(f) property is mentioned, but both alternatives 2 and 3 are located directly adjacent to parks with 4(f) impacts as summarized in Section 5. How are the impacts to these parks different than what would be proposed at the existing site?

2. The Shoreline Management Act (RCW 90.58.020) provides for the reasonable utilization, protection, restoration, and preservation of the shoreline resources of the state. The City of Edmonds Shoreline Master Program (SMP) administers the policies and use regulations consistent with the guidelines of the Act. The existing and proposed alternative terminal site locations fall within an urban-marine and urban-multiple use environmental designation under Edmonds' SMP. Under this designation, over-water development must be water-dependent.

2

   The Edmonds' SMP, Shoreline Use section (15.37.060.C.4), prohibits uses that alter or degrade the defined shoreline "natural systems." Per WAC 173-16-050, the marine beach, the estuary, Edmonds Marsh, and Wilson Creek meet the definition of natural systems. Under this criteria, consideration must be given to the potential long-term environmental impacts of a given shoreline use in relation to any short-term and immediate economic benefit.

3. Edmonds Marsh and Willow Creek – Limited wetland and freshwater habitat remain in the area. Only a remnant of the historical wetland system remains that existed prior to the building of SR 104, which was constructed to provide a transportation corridor to the existing ferry terminal. With the proposed relocation of the ferry, additional impacts are now proposed to the Marsh and Creek. The following concerns are specific to the Marsh and Creek impacts:

   a. Greater effort towards avoidance of impacts to the stream and wetland should be considered. Current impacts to these resources need to be compensated for by removing existing fill on adjacent areas of wetlands, and providing permanent protection to the remaining wetland and creek areas.

3

   b. Avoidance of additional impacts by using existing impervious surfaces, rather than expansion into remnant vestiges of wetlands and freshwater streams should be considered. Removal of existing structures should also be evaluated for potential habitat improvement.

   c. In earlier discussions with DOT, Ecology has expressed concerns that alternatives 2 and 3 would allow increased development around Edmonds Marsh which could possibly result in secondary impacts to the marsh and Willow Creek. It was explained that the City of Edmonds had placed the marsh into protected status under their Critical Area Ordinance and City Comprehensive Plan, and that impacts to the marsh would not be allowed. However, in both alternatives 2 and 3, impacts to the marsh are proposed. How will DOT assure that additional secondary impacts to the marsh and creek will not occur with the proposed relocation of the ferry landing?

   d. The quality of analysis that was presented to describe impacts to the marsh and creek are inadequate for fish and wildlife impacts.

4

      i) Heron: What is the basis for the statement that "Heron may relocate to an alternate roost or may establish new roosts"? Are there alternate roosts in the vicinity, or alternate sites that have existing heron use? Have the heron's feeding and nesting patterns for the area been monitored?

5

      ii) It is stated that impacts are expected to result in changes to temperature, salinity, water level and water level fluctuations. These impacts could result in major alterations to the existing wetland ecosystem, functions, and species present. How will these impacts be avoided so the existing wetland system is preserved? If unavoidable impacts to these parameters are expected, what mitigation is proposed as compensation to the fish and wildlife currently using

5 Edmonds Marsh, that may be displaced by the alterations? A detailed wetland mitigation plan will be required by Ecology for approval.

6 e. Additional sedimentation and temperature impacts to the marsh and creek that are listed in the DEIS should not occur. Amphibian and fish eggs are extremely susceptible to changes in temperature and pH. To avoid these impacts DOT should add additional, or more sophisticated stormwater treatment best management practices (BMPs) than currently proposed. These BMPs should include reducing impervious surfaces to the minimum necessary, providing adequate construction sedimentation and erosion control measures, and adequate quantity and quality stormwater treatment with retention ponds and bioswales after construction. Shading of detention facilities and parking areas with large trees should be included to reduce temperature impacts.

7 f. Mitigation for waterways, water quality, and wetlands as stated in the document is inadequate to address the expected impacts. Increased use of detention ponds, and improving existing detention facilities should be included as impact avoidance not as mitigation for unavoidable impacts. Runoff entering the wetland and creek should meet water quality standards through treatment methods.

8 g. Blocking of waterways and hydrologic systems due to increased sedimentation to Willow Creek and Edmonds Marsh should not occur. DOT must meet current standards for culvert sizing and replacement if these impacts are expected to block fish passage.

9 h. Any loss of wetland should require in-kind mitigation at a 2 to 1 ratio, at a minimum. Mitigation should be in-place and fully functioning prior to completion of the project.

4. <u>Sediment contamination</u>:

10 a. As stated in earlier discussions and correspondence with DOT, we recommend DOT conduct sampling of the near-shore sediments under the proposed dock structure for alternative 2. If contamination is found, we recommend DOT work with Unocal on pursuing a voluntary cleanup of the sediments in front of the existing pier, and under and directly adjacent to the proposed pier. Through a voluntary cleanup, Ecology will be available to provide technical assistance on cleanup and sediment issues that are not as easily provided through an Ordered approach.

10 Also, it is our policy to not allow foreclosure of a cleanup site. If the constructed dock will result in a foreclosure of a contaminated site for cleanup opportunities, the cleanup must occur prior to construction. If the dock will not result in foreclosure of cleanup, the construction may be allowed prior to cleanup, but any increased costs associated with working around the structure would be the responsibility of DOT.

11 b. Please explain the statement that "DOT will address generation and disposal of contaminated sediments related to construction". How will this be addressed? What disposal options have been considered? Have costs associated with handling and disposal of potential contamination been considered in the project costs?

12 5. Water quality modifications are no longer granted for exceedances of water quality standards. A modification to the turbidity standards is included in WAC 173-201(A) to address temporary turbidity exceedances. All other water quality standards must be complied with during construction and operation of the project.

13 6. The maps provided are different throughout the document, making it difficult to compare alternatives discussed. We recommend adding the same key landmarks for each map in the FEIS to allow easier comparison of sites. Edmonds Marsh is not shown on many of the maps; its inclusion would be beneficial.

14 7. How will the potential for landslides be address in construction of alternative 2, which is located directly over a landslide hazard area?

If you have any questions, please contact Sandra Manning with our Permit Coordination Team at (360) 407-6912.

Sincerely,

Rebecca Inman

Rebecca Inman
Environmental Coordination Section

EIS #981105
cc: WDFW -- John Boettner
Corps -- Jack Kennedy
NMFS -- Dennis Carlson
Ecology –Janet Thompson, Erik Stockdale, Mary Kautz, Joan Velikanje, Sandra Manning
DNR – Vernice Santee
DOT -- Sandy Stephens, Rick Singer
USFSW -- Tim Romanski, Nancy Brinnon-Dubbs

7.2.5 Response for Washington State Department of Ecology

1. As noted in the Draft EIS, expansion of the existing Main Street ferry terminal was the last of the alternatives to be excluded from further consideration. The text in Chapter 2 of the Draft EIS summarizes the analysis presented in the project's Phase I Report, prepared in October 1994 (CH2M HILL et al., 1995). The existing terminal alternative was scored and ranked, along with the Point Edwards and Mid-Waterfront alternatives, on the basis of screening questions grouped into five categories (project objectives, traffic safety, environmental impacts, community benefits, and project implementation). Based on the initial evaluation screening process, the Main Street Alternative (1.3, with access from SR 104 at Pine Street) scored lower (69) than either the Mid-Waterfront (65) or the Point Edwards (62) alternative (a lower score was considered more desirable). The Main Street alternative scored much lower than the other two alternatives for the following criteria:

   - Direct and easy traffic access to the facility
   - Impacts to the existing infrastructure
   - Compatibility with the Edmonds Waterfront Plan

   To preclude giving categories with more questions greater influence on the outcome of the screening than categories with fewer questions, a weighted-average score was used to rank the alternatives. Even with this change in scoring approach, the rank order among the alternatives remained the same—Point Edwards (13.3), Mid-Waterfront (14.3), and Main Street (15.2). The costs of each alternative were also estimated to be in the same relative order, with the Point Edwards alternative the least expensive ($85 to $104 million in July 1994 dollars), the Mid-Waterfront alternative at $94 to $113 million, and the Main Street alternative the most expensive ($100 to $120 million). As noted in Chapter 2 of the Draft EIS, the Project Oversight Committee (on August 16, 1994) and the Edmonds City Council (on September 6, 1994) accepted the ranking of Point Edwards as the preferred alternative and the Mid-Waterfront alternative as a backup should a fatal flaw be discovered at Point Edwards. The Committee and Council also approved excluding the Main Street alternative from further consideration.

   The Main Street alternative was evaluated, and subsequently dropped from further consideration as a build alternative, during the pre-EIS phase of this project. As a result, less information on environmental impacts of this alternative is known, relative to the alternatives that have been further designed and evaluated as part of the Draft EIS. What is known, however, is the following likely effects:

   - With a widened and extended pier, additional overwater shading impacts would occur in a sensitive eelgrass and macroalgae area

   - Increased ferry activity could present safety concerns for divers at the adjacent Brackett's Landing Underwater Park

   - Right-of-way acquisition along the west side of the Burlington Northern and Santa Fe Railroad tracks between Dayton and Main Streets would be

substantial, resulting in the likely displacement of the Ebb Tide and Reef apartment complexes (far greater relocation requirements than the other alternatives); the South County Senior Center; office, retail, and restaurant establishments; and a portion of the recently developed Brackett's Landing South Park (it should be noted that Draft EIS text talks about the "acquisition requirements," not "acquisition costs," being substantial).

- Impacts to Brackett's Landing South Park would trigger Section 4(f) concern, similar to those identified under the other alternatives

- The City's Waterfront Plan, adopted in June 1995, envisions the conversion of the existing ferry pier to a gateway feature, public fishing facility, and transient guest moorage that would link the north and south sections of Brackett's Landing Park

2. The goal of the Shoreline Use section of the Edmonds Shoreline Master Program is to

   Provide a balanced process of conservation and development of the shoreline to meet both man's need and desire for 'shoreline dependent and shoreline oriented' development and the need and desire for maintaining shoreline natural environmental quality" (15.37.060.B).

   Acknowledgment of the need to balance development and other shoreline values is also found in Section 15.36.010, which defines the urban environment designation that applies to the Edmonds Crossing project site. This section describes the urban designation as intended to "Regulate urban development on the waterfront in order to preserve views and other amenities while allowing more intense development."

   With the incorporation of avoidance and mitigation measures described in the Draft EIS and those committed to in the Final EIS, degradation of "natural systems" (as defined in WAC 173-16-050) would be minimal or nonexistent. No land would be acquired from the Edmonds Marsh under the preferred alternative. Design changes—including construction of separate and shorter piers to reduce overwater shading—have been developed since publication of the Draft EIS to reduce potential impacts (see Section S.4, Events Since Publication of the Draft EIS). In addition, the natural environment would be enhanced through the collection and treatment of stormwater that now enters Willow Creek and the marsh untreated, and through the daylighting of sections of Willow Creek, including the creek's outlet into Puget Sound.

   As noted in the comment, Section 15.37.060.C.6 of the Shoreline Use element urges project proponents to "Consider the potential long-term benefits of shoreline use in relation to any short-term immediate benefits." Chapter 1 of the EIS sets forth the purpose of the Edmonds Crossing project, which is to "provide a long-term solution to the conflicts and disruption resulting from ferry, rail, automobile, bus, and pedestrian traffic in downtown Edmonds." As a water-dependent project with long-term regional benefits, designed to protect shoreline natural systems and enhance the network of waterfront parks and

trails in an urban environment, the proposed multimodal facility is consistent with the Edmonds Shoreline Master Program.

3. As stated above and discussed in the Section 4.8, Wetlands, of the Final EIS, the modified design for Alternative 2 no longer includes direct impacts to Edmonds Marsh.

   Indirect impacts to the Edmonds Marsh under all alternatives would be minimized through stringent erosion controls during construction and stormwater treatment during operation of the facility (see Section 4.7, Water Quality). Other potential indirect impacts to wildlife would be minimized through enhanced buffer plantings and fences along the northern boundary of the facility and additional forest planting between the southern edge of Edmonds Marsh and the terminal access road to provide a noise and activity buffer for birds and other wildlife using the marsh.

4. Because great blue herons will use a variety of tree species as day roosts, numerous trees are available between the existing SR 104 and the UNOCAL site for day roosts. However, the great blue herons that have established nests along the southern margin of the marsh and on the hillside above the UNOCAL facility are unlikely to move to another location in the project vicinity, as other appropriate sites are not available (Thompson, pers. comm., 1998). The Washington State Department of Fish and Wildlife (WDFW) has not monitored feeding or nesting patterns of great blue herons in the project vicinity. The design of Modified Alternative 2 presented in the Final EIS has been changed from that shown in the Draft EIS: the terminal access road is farther from the marsh-side heron nests, establishing a buffer of more than 30 meters (100 feet). Over the long term, the nesting population using the marsh-side location may increase with the implementation of mitigation measures designed to provide more nesting sites and a visual and auditory buffer between the terminal access road and the marsh (such as planting cottonwood and Douglas fir trees and fencing this boundary with a solid fence) (Thompson, pers. comm., 1998).

5. If one wants to preserve the present function of the Edmonds Marsh, one jeopardizes the opportunity to restore this ecosystem to a salt marsh, its original condition. Salt marshes are far scarcer in the Puget Sound region than freshwater wetlands. The proposed project will modify the wetland function and transform it in the direction of a salt marsh. This should be viewed as a positive benefit of the project rather than an impact that requires mitigation. Amphibians could still use the marsh but might move out of its more saline areas.

6. The Draft EIS includes details on a variety of erosion and sediment control measures that would be taken to protect Edmonds Marsh and Willow Creek, as well as permanent water quality treatment facilities. As with any construction site with extensive grading work, it is impossible to prevent some sediment loading to offsite waters during construction. Because the Draft EIS acknowledges this, it is fair to conclude that minor sedimentation impacts would occur in the marsh. As the project approaches the construction phase, all parties concerned with erosion and sediment control should collectively evaluate the erosion and sediment control plan to ensure that sedimentation in

the marsh is limited to the minimum possible. It is expected that permanent runoff treatment could be accomplished effectively in the vicinity of Edmonds Marsh and Willow Creek under either build alternative because there is sufficient space and storage capacity for stormwater management facilities in the UNOCAL site area.

As discussed in Appendix E, the revised plan for stormwater treatment of multimodal center runoff involves use of a large treatment pond, perhaps configured as a wetland. This stormwater treatment pond would be designed according to the current Ecology requirements (assumed to be similar to those presented in the 2001 *Stormwater Management Manual for Western Washington*). The treatment pond outflows would be discharged directly to Puget Sound using the existing Willow Creek culvert that would otherwise be abandoned following daylighting of a new Willow Creek channel. Thus, temperature impacts are not expected in the marsh in relation to stormwater runoff.. Regardless, the discussion of water quality mitigation measures in the Final EIS includes mention of planting trees on the periphery of the treatment pond to reduce runoff water temperatures for the benefit of nearshore areas of Puget Sound. On a related note, the shallow marsh conditions already result in elevated water temperatures.

7. The mitigation measures proposed in the Final EIS for stormwater treatment to protect Edmonds Marsh and Willow Creek are consistent with the most recent Department of Ecology requirements set forth in the *Stormwater Management Manual for Western Washington*. The stormwater treatment pond would not be provided as mitigation for unavoidable water quality impacts; rather, it would be provided to reduce potential impacts as is the case with all stormwater treatment systems. The Draft EIS discussion of long-term water quality impacts clearly indicated that either build alternative would have less water quality impacts than would occur with the No Action alternative. Thus, use of runoff treatment facilities above and beyond what is normally required on similar sites is not warranted. The proposed project does not include detention of runoff because the on-site runoff would be discharged directly to Puget Sound following water quality treatment.

8. It is expected that any sedimentation impacts attributable to the project would have minimal effect on culvert capacities downstream, as almost all of the sediment load in runoff flowing through Willow Creek would originate upstream. Because Willow Creek would be daylighted extensively between Edmonds Marsh and Puget Sound, long stretches of culverts would be eliminated. Thus, reduction of culvert capacity due to sediments in runoff from the project should not be a substantial problem. Even so, a thorough check should be made following construction to ensure that sediment deposition is not a problem in downstream culverts. Section 4.6, Waterways and Hydrological Systems, has been modified to include this recommendation.

9. As a result of modifications to Alternative 2, all direct wetland impacts identified in the Draft EIS have been avoided. Impacts to the wetland buffer area would be mitigated by enhancing adjacent wetlands and providing additional wetlands and wetland buffer area. If Alternative 3 is implemented, both wetlands and wetland buffer area would be impacted. The City of

Edmonds and WSDOT would come to an agreement with the Department of Ecology regarding an appropriate mitigation ratio for the direct wetland impact.

10. A study of the marine sediments offshore of the UNOCAL site has been conducted since the publication of the Draft EIS. The work was conducted in accordance with a work plan (CH2M HILL, 2000d) approved by the Washington State Department of Ecology. A description of the study and the results of the sampling and analysis of the marine sediments are included in the City of Edmonds Sediment Investigation Report (CH2M HILL, 2000c). The sediments in the vicinity of the UNOCAL dock, the two outfalls, and other sampling locations at Point Edwards were found to be uncontaminated. The Department of Ecology issued a letter of agreement with the findings (December 29, 2000). The results of the sediment investigation are included in the Final EIS. The data is not included in the Final EIS, but is incorporated by reference to the City of Edmonds Sediment Investigation Report (CH2M HILL, 2000c).

    This Final EIS has not addressed the particulars of property acquisition. Property acquisition negotiations are not a part of the EIS process.

11. As stated in the response to the previous comment concerning the sediments in the vicinity of the UNOCAL pier, a sediment investigation has been conducted and the sediments were found to be uncontaminated. Disposal of contaminated sediments is not anticipated in light of these findings.

12. Comment acknowledged.

13. The base figure for each of the alternatives has standard landmarks. For each figure regarding a particular topic, additional elements are shown pertaining to that topic. The number of standard landmarks has been kept to a minimum so that the topical elements of the figure are not obscured. Edmonds Marsh has been added to the figures where appropriate.

14. Road design and construction methods appropriate to unstable slopes would be used to reduce the potential for sliding. Appropriate construction methods would include completing the cuts for the wall systems in stages.

Washington Department of FISH and WILDLIFE

Region 4 Office
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Mill Creek, WA 98012-1296
(425) 379-2313 FAX (425) 379-2323

April 9, 1998

Washington State Dept of Transportation
ATTENTION: Susan Powell
Northwest Region
15700 Dayton Avenue North
Post Office Box 330310
Seattle, Washington 98133-9710

SUBJECT: Draft Environmental Impact Statement (DEIS) - Washington State Dept of Transportation Proponent - Edmonds Crossing Ferry Terminal - Point Edwards, Puget Sound, Tributary to Admiralty Inlet, Snohomish County, WRIA 08.MARI

Dear Ms. Powell:

The Washington Department of Fish and Wildlife (WDFW) has reviewed the above-referenced DEIS received on Sept 3, 1996, and offers the following comments at this time. Other comments may be offered as the project progresses.

The Revised Code of Washington (RCW 75.20.100) states "in the event that any person or government agency desires to construct any form of hydraulic project or perform other work that will use, divert, obstruct, or change the natural flow or bed of any of the salt . . . waters of the state, such person or government agency shall, before commencing construction or work thereon and to ensure the proper protection of fish life, secure the written approval of the department of fish and wildlife . . . as to the adequacy of the means proposed for the protection of fish life."

WDFW habitat policy (POL-410), adopted September 1990, states ". . . it is the goal of WDFW to achieve no net loss of the productive capacity of the habitat of food fish and shellfish resources of the state." This policy requires applicants of projects potentially impacting fish resources and habitat to mitigate all adverse effects. Mitigation sequencing requires that applicants must first take all reasonable steps to avoid habitat damage, and second, take all reasonable steps to minimize any unavoidable habitat damage. Any habitat which is unavoidably damaged or lost must be replaced to its full productive capacity using proven methods. Please provide

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1 **details of the mitigation sequencing you have conducted, explain how this mitigation fulfills POL-410, and is adequate for the protection of fish life.**

2 The new terminal must be designed and installed in a manner that does not interfere with juvenile salmonid feeding or migration, and so it does not increase predation upon these fishes. Compensation for short-term losses of shellfish is required, and the terminal needs to be designed to avoid long-term impacts to shellfish. Contaminated sediments and the sources of contaminates, such as creosoted piles, must be abated. Mitigation and restoration for constructing the new terminal shall include removal of the existing ferry terminal and restoring that area and the associated impacted marine environment to a natural condition. A new low-impact fishing pier could be compatible with these mitigation and restoration goals.

3 The short-term impacts associated with construction, which will be a several-year process, can be partially mitigated by timing restrictions, such as avoiding in-water work during salmon migrations, avoiding stream work during spawning and incubation periods, and avoiding upland grading activities between November and April.

4 In addition, we have to be cognizant of these environmental impacts in light of the pending Endangered Species Act (ESA) listings, and the recent adoption of the Wild Salmonid Policy (WSP). Also, forage fish such as surf smelt, sandlance, and rock sole are listed in the WSP, and just about any project that will involve waters of Washington State will be given scrutiny under the ESA guidelines.

General Habitat Concerns in Marine Environment

Sediment Transport

Sediment in the vicinity of Edmonds is limited by existing structures that extends north and south directions for a long distance from this site. The Burlington Northern Sante Fe Railroad (BNSF) has a continual line of rip rap that extends well into the intertidal area along the bluff that extends to the north and south of Edmonds. As a result, any supply of new source materials for beach sustenance is from material that can migrate past the rip rap, ie., the 1997 winter slides, which are a one in fifty year occurrence. The material that is presently supporting the beach along the waterfront at Edmonds has a limit to the amount that can be supplied, hence, it is important to make sure that development on the waterfront does not result in extended losses over time.

5 In the past, comments have been made with reference to the need for modeling to be done on this project in order to determine the fate of sediment and other impacts to the beach. Projects of this magnitude should have a modeling study done to measure these types of impacts. The current DEIS does not address the fate of sediment adequately. If there is a net loss of sediment on the waterfront as a result of this proposal, biological communities can be wiped out, among other

5 impacts to the community.

In the Mid Waterfront Alternative, the suggestion was made to add rip rap in the vicinity of the support structures that hold up the Edmonds Fishing Pier. This solution is not acceptable to WDFW, it assumes that wheel wash erosion will be enough of a factor that the support needs additional protection, however, it does not address the needs of the fishing community that has
6 grown to depend on that facility for the fishing opportunity that it provides. I have yet to see any consideration be made in the DEIS about the impacts to the fishers that utilize the Edmonds Fishing Pier, and how the project can accommodate impacts to the fishery. How much will wheel wash currents act on the Edmonds Fishing Pier fishery itself? How much impact will there be on the artificial reef? In addition, the impacts to the eelgrass community have not been adequately addressed in the DEIS, we need to know specifically how much eelgrass is affected
7 by wheel wash dredge action, or at least what measures the applicant will take to compensate if measures to mitigate are insufficient.

Has the proponent figured the impacts on the structures and surrounding area as a result of the clapodis wave effect? The Edmonds Crossing DEIS discusses the potential for small boats to be victimized by this effect on the Pt Edwards area, but dismisses this concern by stating that small
8 boats would not be present during a storm. Is the proponent assuming that there will no longer be a gillnet fishery in this area? What about wave attenuation as a result of southerly storms acting in conjunction with freighter traffic wakes that are several feet in height? What will the resulting compounded deflected wave energy do to the surrounding area and structures?

Shading Impacts From Overwater Structures Such The Access Piers and Holding Lanes

WAC 220-110-300 refers to overwater structures in the following context:

> **"Pier, pilings, docks, floats, rafts, ramps, boathouses, houseboats, and associated mooring projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat."** In addition, (7) states, **"Piers, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings shall be designed and located to avoid adverse impacts to juvenile salmonid migration routes and rearing areas."**

WDFW cannot dismiss the importance of the overwater shading impacts to be incurred from either the Mid Waterfront Alternative or the Pt Edwards Alternative. Both structure are going to impact the migration of juvenile salmonids, either to slow them in their migration, or in forcing them to pass under (or around) the pier. Mortality will result from several potential sources as follows:

1. Juvenile salmon suffer vision loss in making adjustments to shading, and would be subject to predation as a result.

2. Juvenile salmon will be forced to pass through a community assemblage of predators that has been artificially propagated as a result of the new pier structure's associated biological community.
3. Juvenile salmon will be forced to pass around the outside of the piers and suffer mortality from predators in deeper water.
4. Artificial lighting at night on the piers will influence the movement of juvenile salmon and other forage fish, making them susceptible to increased predation. Artificial lighting attracts juvenile chum salmon, this can affect their migration in the following ways:
   - The fact that they assemble themselves into large schools in response to artificial lighting at the edges of piers make them more susceptible to predation.
   - The attraction of chum to lighting is an artificially introduced behavior which results in an impedance to their outbound ocean migration.

These impacts are viable sources of mortality that will require mitigation due to increases in the overall size of structures in the Edmonds waterfront. These impacts are not based on conjecture, we know that the impacts are real and there is evidence to prove it, we just don't know how to measure them.

WDFW agrees that there is a need for the Edmonds Crossing proposal, hence, we are giving this project merit. However, for the purposes of avoidance of the impacts (the first step in mitigation sequencing), a two lane road is all that is required for accessing a ferry (both on and off), any temporary parking, holding/staging facilities should be kept upland in order to avoid further impacts. None of the alternatives offer any resolution for reducing the number of access lanes, it appears the proponent is actively choosing alternatives that will result in shading impacts, hence, a net loss of fish habitat. In addition, the proponent has diverted from any decision that would minimize impacts (the second step in mitigation sequencing), ie., using the facility for temporary parking or holding/staging facility versus only access to the ferries. As stated in previous conversations about this project, WDFW does not consider the proposed use of a facility for temporary parking (or a staging facility) a water dependent use, using the piers for access to the ferries would be water dependent usage. 9

WDFW is aware that the present ferry pier has historically been used as staging area or temporary parking. We would be willing to allow the existing amount of staging area to be transferred to the new facility based on historical precedent, however, if we do not come to terms on mitigation for the new facility, this allowance would not be considered. Any staging areas, temporary parking facilities, or holding areas in excess of the existing ferry terminal would need to be mitigated.

In addition, we would like to know the actual dimensions used to assess the square footage of the overwater coverage. What was included in the measurements of the proposed/existing facilities? Was the floating breakwater or any other structure included in the measurements? Also, to simply dismiss the impacts based on square footage would not be acceptable to WDFW, the

9 existing structure at Pt Edwards is much narrower at the landward end, and larger at the terminal end than either of the proposed alternatives, these dimensions are our concern and still need to be addressed (and mitigated if the proponent is serious about the proposed width of the structures).

Mid Waterfront Alternative

Concerns we have with regard to the Mid Waterfront Alternative are as follows:

- This alternative should address the Edmonds Fishing Pier and reef in a more comprehensive manner. The pier was built to function as a facility for fishers on the pier and reef as an integral unit. The reef may be located away from the pier, but that does not mean that it should be removed from the pier. The fact the reef is placed in this location 10 is because it is supposed to be close enough to attract an assemblage of fish for the fishery, but not hang up fishing gear. The reef is supposed to support a shore fishery which utilizes both the pier and reef; to move the reef away from the pier, would remove the fishing opportunity for pier users. Improvements could be made to the reef to increase the habitat for reef dwelling fishes, but the modifications need to consider the proximity of the pier. In addition, we are concerned about the impact of the ferry activity 11 on the fishery. Can the ferry activity and the pier fishery coexist?

  10 Please note, no modification made to the reef shall be construed as mitigation for other impacts from this project. Any modifications to the reef shall relate to the issues relating to the reef and fishing pier alone.

- 12 Any relocation of sewer outfalls needs to meet criteria used to address WDFW habitat concerns.

Contaminated Sediment Remedial Investigation

In order to insure the protection of fish life, WDFW will need a clearer assessment of Chemicals of Concern (COCs) at both sites before continuing with this proposal. Cleanup of all contaminated marine sediment above state screening criteria must be remediated; in other words, source levels of contamination must be controlled, and no impacts to fish habitat should occur as 13 a result of cleanup activities.

Measures should be established for emergency containment facilities of contaminated material if they should be encountered during construction activity. Extreme caution should be taken to avoid any spillage into streams, wetlands, or marine waters. In addition, WDFW should be contacted immediately upon any spill occurrences.

14 Removal of all creosoted piling shall be accomplished using methods that result in complete extraction of the piling. WDFW assumes that any new facilities will be constructed using steel,

14 concrete, or recycled plastic piling versus the use of treated wood. If contamination becomes an issue at this site, WDFW may require that alternatives be used in lieu of creosote where treated wood is necessary for this project.

15 It appears as though the actual extent of contaminated materials at the Unocal site have yet to be determined. WDFW is concerned that any action to start construction prior to a full scale remedial action investigation could be extremely detrimental to fish life. Source control of all sources of contamination need to be achieved to remove any potential exposure of fish to COCs. These sources include groundwater, contaminated sediment, stormwater, existing outfalls (stormwater or otherwise), treated woods on site such as railroad ties, potential sources of new effluents from new sources (railroad tracks, and new railroad ties), etc.

16 WDFW is concerned that the necessary measures to be taken regarding remedial action may not be addressed due to the immediate need for this project.

17 Since ESA is going to be a factor in this project, source control measures should be in place that have proven performance criteria that would guarantee necessary water quality that necessary to the protection of fish life.

Mitigation

18 Removal of the existing facility is the only source of "in-kind" mitigation alternatives available, leaving the existing structure would be setting precedent, especially since the options available for in-kind mitigation are so few. As stated in prior comments, the existing ferry terminal has had an impact on the littoral drift of sediment on the Edmonds waterfront. Measures should be incorporated into the removal of the existing ferry terminal to maintain the existing configuration of the beach. After making site visits to the Edmonds terminal, it appears that a portion of the pier could be removed successfully with minimal impact to littoral drift and structures in the vicinity.

19 WDFW is prepared to consider the removal of the creosote piling as mitigation for some of the impacts of this project, however, we will require proof that the piling have been disposed at an approved facility.

In addition, there are many creosote piles in the vicinity of Edmonds that could be removed. WDFW realizes that creasote is viewed by many communities as a benefit for waterfowl and fish habitat. However, every creosote pile continues to leach PolyAromatic Hydrocarbons (PAHs) throughout the life of the structure. PAHs are carcinogens that find their way into marine biota through bioaccumulation of these materials into marine sediments and water column, on into marine organisms and fish. WDFW is working to remove all sources of PAHs from the marine environment by removing creosote pilings that are no longer providing structural uses. However, WDFW is aware that creosote piles are used by waterfowl as surrogate habitat because

of the lack of natural riparian habitat in the Edmonds waterfront environment. In cases where creosote is being used as surrogate habitat, we are suggesting substituting structures with piles that are none treated, a better solution for waterfowl roosting habitat and fish habitat.

20 More effort should be placed towards avoidance of impacts, using existing impervious surfaces versus expanding into the remnant vestiges of wetlands and freshwater streams. In addition, existing structures that are currently impacting the environment should be considered for removal to make habitat improvements; for instance, existing SR 104 could be removed or relocated in the vicinity of the wetland to create a more continuous connected wetland.

21 If any piling in the Edmonds area are not creosoted, it would be acceptable to leave them, however, we want proof that the piles are not creosoted.

22 The proposal to fill in the dredged area of the existing facility should benefit eelgrass beds and other macroalgae communities, however, it is difficult to tell how the alternative proposals will impact the existing beds. It is important to get the correct composition of fill material in order to duplicate the adjacent bed function for eelgrass survival. In addition, it is important to match the existing grade of the slope in the vicinity of the eelgrass beds in areas to be mitigated for eelgrass.

Willow Creek

Willows Creek, Shellbarger Creek, and the wetland associated with them do support populations of resident and anadromous salmonids. These streams and wetlands have suffered degradation from actions such as filling, channelization, roads, culverts, marinas, and upland conversion from forest to residential. The Puget Sound shoreline in the Edmonds area has also been severely altered with resultant habitat loss due to filling, bulkheads, marina construction, stormwater outfalls, chemical contaminates, and shipping and ferry terminals. Maintaining man-induced habitat degradation is not a situation that should be perpetuated under the guise of not doing further resource harm. Construction of this project will have unavoidable short-term and long term impacts to fish, wildlife, and their habitats. A continued loss of habitat in the Edmonds area is no longer an option if any fish or wildlife are to exist here. The addition of 400 feet to an existing 1200 foot culvert is not acceptable to WDFW, this will result in 1600 feet of culvert which could be a substantial fish 23 blockage without some amount of daylighting. All of these impacts could be avoided by moving the facilities to areas that are already upland instead of treading into relic habitat that has already suffered losses from development.

24 The marine entrance culvert appears to suffer greatly depending on sediment buildup, this problem could be exacerbated as a result of this project. Improvement to the entrance culvert will probably be necessary if the Pt Edwards facility is approved. In addition, stormwater
25 detention facilities should have the capacity to adequately handle the increased volumes of stormwater, and reduce to influx of contaminants into Puget Sound and area streams.

26 If the any wetland is lost as a result of this project, the loss of the wetland shall require mitigation at a minimum of 2 to 1. We would prefer that the constructed wetland be in place and fully functional prior to completion of the project. In addition, care should be taken to restore wetland of equal function, ie., marine intertidal marsh for same.

WDFW is concerned that this project has made so much progress toward moving forward, yet the concerns addressed in past comments have not been adequately addressed, nor has WDFW been party to any of the project discussion that would address our concerns. We will need to see our concerns appropriately considered if an HPA is going to be issued for this project.

We appreciate your cooperation in our efforts to protect, perpetuate and manage the fish resources of the state of Washington.

Thank you for the opportunity to provide these comments. If you have any questions please call me at (425) 379-2306.

Sincerely,

John Boettner
Area Habitat Biologist
Habitat Program

JB:jb:50:(98-1)

cc: Ted Muller, WDFW Region 4
Neil Rickard, WDFW
Barbara Ritchie, DOE
Gordon Zillges, NMFS, Lacey
Tony Opperman, WDFW
Hugh Shipman, DOE
Randy Carman, WDFW
Joan Vellikanje, NWDOE
Phyllis Meyers, Suquamish Tribe

7.2.6 Response for Washington Department of Fish and Wildlife (April 9, 1998)

1. The revised project meets the conditions of POL-410. More habitat improvements are offered than the potential impacts of the project. Mitigation and habitat enhancement elements are extensive and described in the revised FEIS and BA.

2. Most of the suggested design elements and mitigation measures have been incorporated into the project. For instance, the ferry pier was redesigned in an effort to facilitate juvenile under-pier passage. The pier was shortened and split apart in the intertidal zone to let light in underneath . The existing ferry pier and the UNOCAL pier would be removed, including 834 creosote treated piles. The ferry operation impacted area offshore of the existing terminal, would be restored to match adjacent shorelines. The depth band between –2 and – 25 feet MLLW would be replanted with eelgrass (2.6 acres).

3. All temporal restrictions on in-water or upland construction activities mandated by WDFW will be observed.

4. Pursuant to ESA listings, a Biological Assessment has been prepared in association with the EIS. No known spawning habitat exists in the project area for herring, sand lance, surf smelt, or rock sole.

5. The proposed pier structure is not expected to affect the beach immediately adjacent to the pier nor would it affect the beaches to the distant north or south. The net effect to along-shore sediment transport would be status quo. This assessment was made by a qualified marine engineer without the need for complex modeling.

6. Little, if any, seabed erosion is expected at the Fishing Pier based on analysis of the scour pattern at the proposed facility. If any scour protection were needed, it most likely would be at the northeast end of the Fishing Pier. Periodic monitoring of the seabed along the Fishing Pier would reveal any substantial scour requiring erosion protection, and riprap would be installed accordingly. If riprap materials were placed in the vicinity of the Fishing Pier, the riprap materials would improve habitat for the types of species that an artificial reef normally attracts. These species include cabezon, lingcod, various perch, greenling, and several species of rockfish. Moderate propeller wash is not expected to affect these species or their habitat. The fact that the scour trench at the existing Main Street terminal was found to support these species in considerable numbers (Kyte, pers. comm., 1995) is telling, especially considering that the turbulence would be much greater there than at the more distant Fishing Pier.

7. Table 4-10 of the Final EIS present the impacts from propeller scour. The total area of affected eelgrass bed would be 1,666 square meters for the Mid-Waterfront alternative. This would be mitigated by the restoration of 9,300 square meters of eelgrass bed at the existing terminal.

8. The breakwater would lie well outside the littoral drift zone and would not interrupt natural along-shore littoral transport patterns. The location and orientation of the breakwater would not alter the natural wave climate along the beach for waves approaching from the south to southwest that impact the shore. Reflected waves from these directions off the side of the breakwater would travel toward offshore and not interfere with the waves running up on the beach. Waves approaching from the north-northeast would reflect toward the Edmonds Marina Breakwater. Waves approaching from the north-northwest would be reflected toward the beach, but because of their oblique shallow angle of approach to the side of the breakwater, the reflected waves would be small and would be travelling more or less in the same direction as the nonreflected waves. These reflected waves would not be expected to cause any noticeable changes in the existing sand transport along the beach. North-northwest wind storms are infrequent. Significant, long-term changes in the beach would not be expected, as the along-shore littoral drift from frequent southerly waves far exceed the effects from other wave directions and would restore any minor variations in the typical shape of the beach.

   Wind waves were analyzed in 10-degree directional increments, from 190^{o}T to 230^{o} T and 310^{o}T to 030^{o}T, which are the only directions of concern for sustained winds 15 knots and higher at the Point Edwards. Analysis for waves impacting the side of the floating breakwater for these directions indicate that the only reflected waves that might reach the entrance to the Edmonds Marina would be from 030^{o}T incident waves, which encompasses directions 025^{o}T to 034^{o}T. Significant wave heights of 2.0 to 4.0 feet only occur about 0.051 percent of the time from these directions, or about 4.5 hours in a year, on average. It is not expected that hazardous clapotis wave action would occur at the entrance or waters directly offshore from the entrance, as the distance is over 1,200 feet from the floating breakwater. Clapotis waves for incident waves from 020^{o}T (includes 015^{o}T to 024^{o}T) would strike the breakwater float at a more oblique angle and would be confined to an area more than 450 feet southwest of the marina entrance. Incident waves from 310^{o}T to 340^{o}T are not considered important for clapotis formation because of their small angle of approach to the side of the floating breakwater. Incident waves from 190^{o} T to 230^{o}T (includes 185^{o}T to 234^{o}T) would be reflected toward offshore from the southwest face of the floating breakwater. During major wind events, a clapotis area of confused seas would exist from the face of the breakwater to several hundred feet away. Small craft operators, including gillnet operators, would need to judge the risk to their operations depending on actual wave conditions and the sea-keeping aspects of their vessels. In gales (34-47 knots) and storms (48 knots and higher), wave conditions would be such that most small craft operators, including gillnetters, would seek shelter and not be operating in the open waters of Puget Sound.

   Ship-wake clapotis action adjacent to the floating breakwater would be limited, as the ship wake waves would still be in deep water when they reflected off the breakwater and would not be heightened by shoaling effects, like what occurs along a beach. Wakes from ships and commercial tugboats mostly would be from rather distant sources, as these vessels usually operate in the Vessel Traffic Lanes well offshore.

9. The amount of overwater pier area for the Point Edwards alternative has been substantially reduced as a result of the comments received on the Draft EIS. Refer to the revised project description contained in Chapter 2 of the Final EIS.

10. The Edmonds Crossing project does not propose to move the reef away from the Fishing Pier. The project proposes to move some of the reef from an area that is distant from the pier to an area that is closer to the pier but on the other side of the pier. This action is mitigation for impacts to the reef.

11. It is believed that ferry activity and the pier fishery would coexist.

12. Comment acknowledged. Relocation of sewer outfalls would meet criteria used to address WDFW habitat concerns.

13. The EIS has been revised to clarify which chemicals have been identified in sediments in the vicinity of the Mid-Waterfront site (Alternative 3) as indicated in the *Hazardous Waste* discipline report (CH2M HILL, 1995). Since the publication of the Draft EIS, a sediment investigation has been performed to characterize the marine sediments adjacent to the UNOCAL site (Point Edwards site) (CH2M HILL, 2000c). The work was conducted in accordance with a work plan approved by the Washington State Department of Ecology (CH2M HILL, 2000d). The investigation determined the marine sediments were uncontaminated. The Department of Ecology has agreed with the conclusions of the investigation (Ecology, letter dated December 29, 2000). Figure 3-23 has been revised to indicate the new information.

    Measures to prevent release of contaminated materials and spills of hazardous materials are addressed in mitigation measures for hazardous waste listed in Chapter 4 of the Final EIS. These include a comprehensive hazardous substance contingency plan to minimize the effects of identified and unanticipated hazardous substance impacts from contaminated soil, groundwater, and sediment; prepare a spill prevention, countermeasure, and control (SPCC) plan for use for construction and maintenance work in or adjacent to water; and require the selected construction contractor(s) to follow construction practices to protect against hazardous material spills, to maintain a current SPCC plan, and to be familiar with proper hazardous material storage and handling, proper spill notification, and response requirements.

14. Comment acknowledged.

15. Comment acknowledged.

16. Cleanup of the UNOCAL site is being conducted under State of Washington cleanup laws and regulations (Model Toxics Control Act). These rules do not allow remedial action measures that compromise protection of human health and the environment based on schedule requirements of this or any other project.

17. The mitigation measures in Section 4.7, Water Quality, of the Final EIS place more emphasis on source control best management practices (BMPs) for new

roadways and parking areas than in the Draft EIS. However, specification of source controls with proven performance criteria is difficult, as specific data supporting source control BMP performance are not generally available.

18. The existing riprap that extends from shore part way out along the ferry dock acts as a groin, trapping sand and preventing it from moving towards the northeast past the riprap. This riprap would remain in place when the dock was removed.

19. Comment acknowledged.

20. In response to a number of comments from agencies, organizations, and individuals, the Point Edwards alternative has been modified to eliminate any direct impacts to the Edmonds Marsh.

21. Comment acknowledged.

22. Comment acknowledged. The correct sediment composition and slope grade in the fill area will be determined, designed, and built.

23. In response to a number of comments from agencies, organizations, and individuals, the Point Edwards alternative has been modified to daylight sections of the existing Willow Creek culvert. Figure 2-3 of the Final EIS shows that much of the culvert would be replaced with an open channel to enhance fish passage. The stream would be place in a culvert only where the stream would pass under a service road and the railroad tracks. There would be a net reduction of 312 meters (1,025 feet) of culvert.

24. In the Modified Alternative 2 design, the culvert would be replaced by an open channel in the intertidal reach. The channel would not plug up with sand as the culvert currently does.

25. As discussed in the Final EIS, on-site runoff would be discharged directly to Puget Sound using the existing Willow Creek culvert following water quality treatment; this culvert would otherwise be abandoned following daylighting of the creek within the multimodal center site. Stormwater detention is not proposed because of the ability to use that culvert for direct discharge to Puget Sound.

    Section 4.6, Waterways and Hydrological Systems, of the Final EIS mention the proposed daylighting of sections of Willow Creek adjacent to and downstream of the UNOCAL site. The daylighted stream banks would be stabilized to withstand the peak flow rates generated in the Willow Creek basin, and the stream improvements would be designed to provide sufficient channel conveyance capacity. The proposed Edmonds Crossing project includes sufficient runoff treatment to abide by foreseeable regulatory requirements to prevent adverse impacts in Willow Creek, Edmonds Marsh, and Puget Sound. Of particular note in regard to runoff treatment, the Final EIS discusses use of a stormwater pond for treatment of onsite runoff, to be designed in accordance with the Washington State Department of Ecology's current design standards applicable at the time of construction.

26. As noted in Response to Comment No. 20 above, the design for Alternative 2 (the Point Edwards site) has been modified to eliminate direct impacts to Edmonds Marsh. In addition, 312 meters (1,025 feet) of Willow Creek would be removed from the existing culvert and placed in an open channel. About 366 meters (1,200 feet) of riparian zone plantings would be established within this new reach and a portion of the barren reach upstream. These plantings would add approximately 4,755 square meters (15,600 square feet) of riparian zone vegetation. Additional wetland mitigation measures are described in Section 4.8, Wetlands, of the Final EIS.

STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
16018 Mill Creek Boulevard • Mill Creek, Washington 98012 • (206) 775-1311 FAX (206) 338-1066

June 10, 1998

Jeff Wilson
City of Edmonds Planning Department
121 Fifth Ave. N
Edmonds, WA 98020

RE: SR 104 EDMONDS CROSSING, FERRY TERMINAL RELOCATION AND MULTIMODAL CENTER

Dear Mr. Wilson:
I would like to bring to your attention the presence of a Great Blue Heron rookery on the southeast side of Edmonds Marsh and on the UNOCAL upper yard hillside. The nest trees on UNOCAL are in the mixed forest upland and, in the marsh, are in the mixed upland forest/ forested shrub wetland trees. Both Alternative 2, with the loss of 5.8 acres of upland forest and 0.2 acre of wetland buffer, and Alternative 3, destroying 4.9 acres of upland forest and 0.3 acre of the wetland buffer, would cut either directly into the heron rookery or come within an unacceptable distance to the nests.

According to UNOCAL personnel and birding recreationalists, at least 6 nests were active last year in both sites combined, and at least three nests were active in the marsh site this year. On May 26, 1998, I observed one nest in the hillside site, and located three of the nests in the marsh site and observed an adult heron fly by the nests. According to UNOCAL, the nests were destroyed this year by crows.

1 Great Blue Herons are on the Washington Department of Fish and Wildlife Priority Habitats and Species list. It is important to protect Great Blue Heron nesting colonies because as colony nesters in specialized habitat, this species is particularly vulnerable to development. SR 104 Edmonds Crossing Alternative 2 and 3 would compromise the potential future viability and success of this rookery. Minimum buffers are required for heron rookeries in order to protect against disturbance to the nesting birds. We cannot assume that the herons will relocate to alternate nest trees, or even roost trees, because none may be available, and appropriate trees are becoming critically scant with the cumulative effects of clearing and development.

Edmonds Marsh is a unique and valuable wildlife ecosystem and public recreation area rated by the City of Edmonds as a Category I wetland and established by your City as a Wildlife Habitat

2 and Natural Resource Sanctuary for public enjoyment. It is also on the City of Edmonds Environmentally Sensitive Areas map as a Wildlife Sanctuary and is listed with the WDFW as a Priority Habitat. It is our expectation that the City of Edmonds will respect these classifications and status of the Edmonds Marsh. The marsh has already been reduced to almost half its historic size by progressive filling. We cannot ignore that more clearing and filling of the marsh will have adverse impact to the ecosystem and the wildlife dependent upon it.

Please feel free to call me at the above number, ext. 111 if you have any questions.

Sincerely,

Patricia A. Thompson
Wildlife Biologist

cc. Paul Mar, City of Edmonds Community Services Director; John Boettner, WDFW Habitat Biologist

7.2.7 Response for Washington Department of Fish and Wildlife (June 10, 1998)

1. Refer to Response to Comment No. 4 to letter received from the Department of Ecology.
2. Refer to Response to Comment No. 3 to letter received from the Department of Ecology.

Snohomish County

Public Works

Robert J. Drewel
County Executive

2930 Wetmore Avenue
Everett, WA 98201
(425) 388-3488
FAX (425) 388-6494

April 7, 1998

Mr. Dale Morimoto
WSDOT - MS 138
PO Box 330310
Seattle, Washington 98133-9710

Subject: Comments on DEIS for the Edmonds Multi-Modal Terminal

Dear Mr. Morimoto:

Having read the draft environmental impact statement for the Edmonds Multi-Modal Terminal, I submit the following comments for your consideration:

1

1. The section addressing the linkages between the proposed multi-modal terminal in Alternative 2 and the central business district (CBD) is inadequate. This connection is both an important community and a transit consideration; thus, needing more attention to these issues in the form of design, land use and transportation linkages.

2

2. Emphases needs to be placed on the pedestrian connections between Alternative 2 and the surrounding community, especially from the west and east. There is no mention whether, or not, there is a pedestrian overpass over the rail road tracks at the terminal. There is no mention of sidewalks from SR 104. The DEIS does not recognize the isolation of Alternative 2 from the community, and the mitigation necessary to integrate Alternative 2 without reliance on the SOV.

3

3. Alternative access to the multi-modal station from Lynnwood and the other cities in SW County is a major concern. There is little discussion relating to bus access to any of the three alternatives. There is no mention of the number of bus routes, circulation, number of buses, nor the numbers of rail and ferry passengers arriving by bus. Bus circulation within these sites was not mentioned; nor, how the buses will be kept out of internal and external traffic jams. In addition, the community has discussed the need for a circulator between Alternative 2 and the CBD which was not integrated into the DEIS.

4

4. Another concern is the pedestrian connections between the following services within the terminal in Alternative 2:

- The walking-distance, time, and convenience for pedestrians between the location of commuter rail platform and the location of the ferry:

4

- The walking-distance, time, and convenience for patrons between the bus drop-off and pick-up point and the ferry:

5

5. Discussion about bicycle access to any of the alternatives, particularly Alternative 2 from the east, west, and north is missing. In addition, SR 104 is not bicycle-friendly for being a major bicycle route which needs to be addressed through the mitigation process. Bicycle parking and long-term storage are not addressed. In addition, there is a concern about arriving with a bicycle by rail, or by bus, and getting to the ferry in Alternative 2. No provisions have been in the concept .

6

6. There needs to be coordination between this EIS and the following considering the many millions of dollars spent on these studies:

- WSDOT's State Rail Program EIS,
- Sound Transit's commuter rail EIS, and
- UNOCAL's site clean up program and EIS.

7

7. The importance of station-area planning and transit-oriented development surrounding all the alternatives is missing from this DEIS. The isolation of Alternative 2 from the surrounding community is not made clear. The necessity for community development and economic-development opportunities to provide services and housing within a quarter-mile walking distance is very important and missing from this DEIS.

Thank you for the opportunity to comment on this DEIS for the Edmonds Multi-Modal Terminal. This facility is a very important link in the transportation system in Snohomish County. If you have any questions about these comments, please feel free to call me at 388-3488, extension 4609.

Sincerely,

John S Dewhirst

John S. Dewhirst
Transportation Specialist

7.2.8 Response for Snohomish County Department of Public Works

1 The connection between the proposed multimodal transportation center and the Main Street downtown area in Edmonds is an important feature of the project. For the Point Edwards alternative, a local circulator bus route would be initiated to connect the two areas. Pedestrian walkways would be provided to provide access from Point Edwards to various parts of Edmonds along two routes: first, along the access roadway to the Pine Street/SR 104 intersection and second, along Admiral Way through the Port of Edmonds.

2. Sidewalks along Admiral Way are currently continuous on its west side and discontinuous on its east side. A walkway is projected by the *City of Edmonds Bikeway and Walkway Plan* (City of Edmonds, 1992) on both sides of Admiral Way. A combination bikeway/walkway is planned on SR 104 to the proposed Point Edwards site. A connection from the new terminal would be provided at Admiral Way and access across the railroad tracks would be by elevator and pedestrian overpass. Access to the Mid-Waterfront site would be provided by planned walkways on 3rd Avenue, Dayton Street, and Edmonds Way (Wilbur Smith Associates, 1994).

3. The Task 4 Conceptual Planning Technical Memorandum (Wilbur Smith Associates, 1994) described existing bus services along with a conceptual feeder bus network for the Point Edwards site. The latter was developed and intended as a discussion plan to highlight issues and help define bus bay requirements. The inherent flexibility of buses will allow Community Transit and other transit operators to continually tailor their services to meet evolving travel needs, including access to the Edmonds Crossing project. Further refinement of this early feeder bus plan concept is described in Appendix C of the Final EIS.

4. Refer to Response to Comment No. 2 to the U.S. EPA letter.

5. Refer to Response to Comment No. 3 to the U.S. EPA letter.

6. As noted in the comment, there are a number of related projects proposed by others in the immediate vicinity of the Edmonds Crossing project. Most of these project are noted under the heading “Related Actions” in the “Summary” of the Final EIS and include:

   - A second railroad track to accommodate proposed Sound Transit rush-hour commuter rail service and the forecast increase in train traffic
   - Implementation of the *Edmonds Downtown/Waterfront Plan*
   - Redevelopment of the Port of Edmonds in accordance with the 2001 Master Plan
   - Cleanup of the UNOCAL site and the eventual development of the hillside
   - Pedestrian-related improvements at the existing Main Street ferry terminal

   In direct response to the comment, the following information is currently available:

- WSDOT's Rail Division issued their 20-year Pacific Northwest Rail Corridor Plan in December 1998. This plan focuses on intercity (Amtrak) passenger rail service between Canada and Vancouver, Washington. The Draft EIS for the first segment (Vancouver, Washington, port area) was issued in February 2001; the Final EIS is expected by no later than August 2003. A Draft EIS is expected to be published on the Kelso-Martin's Bluff Segment by January 2004.. Documentation for subsequent phases will be developed over time. The Rail Division has indicated that there will be no discussion of construction in the Edmonds area in either of these documents.

- Sound Transit issued a Final EIS on the proposed Seattle to Everett commuter rail service project in December 1999. This two-way, rush-hour service will use existing BNSFRR tracks; Edmonds will be a stop along this route. At the earliest, service is projected to be in place by the end of 2003.

- To date, there has not been an EIS prepared for the UNOCAL site cleanup program. The site is currently proceeding through the Model Toxics Control Act (MTCA) cleanup process under an Agreed Order with the Department of Ecology. In accordance with existing rules, or any Ecology-conducted or Ecology-supervised cleanup, Ecology is required to integrate the procedural requirements of the State Environmental Policy Act (SEPA) with those of MTCA to the maximum extent practicable. For a project that is under an Agreed Order, as UNOCAL is, a separate SEPA document is not typically prepared because most SEPA requirements will have been under the MTCA process.

7. The land use and zoning designations of areas around the Point Edwards alternative allow mixed-use development that could include services and housing; existing plans encourage such development. However, there is no requirement in local plans or codes that transit-oriented development be implemented around the proposed multimodal facility. Rather, the City of Edmonds is working with private landholders around the Edmonds Crossing project, including UNOCAL and the Port of Edmonds, through master planning processes that enable the City to realize its goal of extending the downtown westward toward the shoreline (Policy A.1 for the Downtown/Waterfront Activity Center in the City of Edmonds comprehensive plan) and the property owners to achieve the highest and best use of their land. Connections between the project area and the downtown through bus, automobile, and pedestrian/bicycle links are an integral part of the proposal.

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Executive Director
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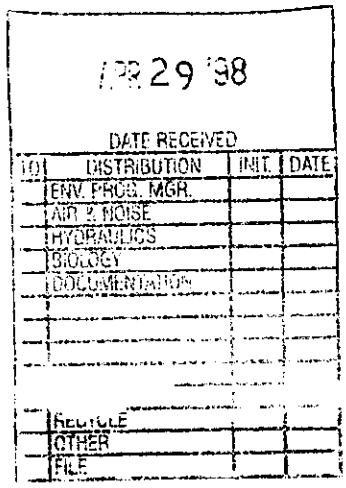
Community Transit

April 27, 1998



Dale Morimoto
Washington State Department of Transportation
Environmental and Special Services Engineer
P.O. Box 330310, M/S 138
Seattle, Washington 98133-9710

Dear Mr. Morimoto:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the SR-104, Edmonds Crossing project. In *Vision 2020,* Puget Sound Region's growth strategy and transportation plan, the need to provide transit with access and terminal improvements to the ferry system is recognized. In its description of the need for "auto ferry capacity improvements" *Vision 2020* states that improvements must "meet design criteria...calling for priority treatment for pedestrian, transit, and ridesharing ferry users."(page 100) Described herein are Community Transit's page-specific comments on the DEIS:

1 • Given the scope of this project, it is appropriate to reflect on the phasing of facility improvements to address immediate design considerations for HOV. The inclusion of HOV/bypass lanes on ferry-bound realigned SR-104 in both Alternatives 2 and 3 will mitigate the traffic impacts of increased ferry terminal usage by the year 2003. For this reason, it is appropriate for the Washington State Ferries (WSF) to include an HOV/bypass lane in the initial Phase 1 project phasing as identified on page S-9 of the DEIS.

2 • WSF's inclusion of "bus facilities for at least two buses" as a "minimum operating facility requirement by 2003" (page S-10) is not sufficient to support Community Transit's existing facility requirements for the City of Edmonds waterfront. Community Transit currently has as many as five buses laying over at the waterfront at one time.

3 • On page 1-4, the DEIS states that Community Transit's "schedule is not coordinated with the ferry schedule." This statement attributes the responsibility of coordination on Community Transit when the responsibility for coordinated schedules is the shared responsibility of both WSF and Community Transit. Timed connections between ferries and buses would be enhanced if ferry boat dockings were improved from every 45 minutes to every 30 minutes to coincide with Community Transit's 30 minute bus headway operations out of Edmonds.

4 • As reflected on page 2-9, the Point Edwards alternative includes "a dedicated bus driveway extending from the center northward parallel to and along the eastern edge of the BNSFRR right-of-way." Community Transit would like to retain the possibility of jointly serving both the Edmonds Senior Center and the multimodal center with the same routes; therefore, the "bus driveway" to Railroad Avenue connection needs to be designed to ensure that buses can safely traverse the railroad tracks at this intersection.

5 • The DEIS does not specify the number of regular-sized buses that can be accommodated at the bus terminal on page 2-11 and 2-12 for the Mid-Waterfront alternative. Nor is there any discussion on how transit customers will traverse the railroad tracks to access the Edmonds Senior Center.

6 • On page 2-16, the DEIS should state that Community Transit buses "would continue to ~~pulse~~ serve downtown near the Senior Center and that some or all ~~two or three~~ routes would serve the multimodal center if suitable access is provided" as part of the Phase 1 project phasing plans.

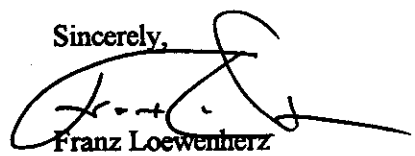
7 • On page 2-23, the DEIS states that "in the first phase of development of the Mid-Waterfront alternative ... Port and waterfront traffic would be allowed to use the HOV/bypass lane...". Enabling general purpose traffic to use the HOV/bypass lane undermines the travel time advantage associated with this HOV priority treatment. Therefore, it would be a misnomer to identify this lane as an "HOV/bypass lane" in the Final EIS. This section also states that waterfront-bound vehicles "may experience inconvenience and delay should ferry queues extend along SR-104 beyond the Pine Street intersection, blocking access to the HOV/bypass lane." This Phase I access option has significant negative impacts to HOV access to the multi-modal facility. HOV access in the Phase I option should be given higher priority given the uncertainty of Phase 2 funding for this project.

8 • On page 2-26, the DEIS states that "with the implementation of commuter rail service, some Community Transit express routes to Seattle could be eliminated." Given the uncertainty surrounding the issue of what (if any) express routes are replaced by commuter rail service, it appears premature to include this statement in the Final EIS.

9 • The DEIS acknowledges that "the opportunity for ferry bicyclists to transfer to Community Transit bike-rack-equipped buses would be slightly inconvenient" at both the Point Edwards (page 4-80) and Mid-Waterfront (page 4-85) alternatives "requiring bicyclists to use the multimodal center elevator to transition elevations." These physical impediments to non-motorized modes accessing/egressing the ferry terminal diminishes transit's performance in both alternatives. As the project progresses from planning to the detailed architectural drawings of the facility, the City of Edmonds should identify what additional design considerations can be incorporated in the facility to support pedestrians and bicyclists accessing transit.

Thank you for providing Community Transit with the opportunity to comment on this document. If you have any questions, please call me at 425-348-7188.

Sincerely,



Franz Loewenherz
High Capacity Transit Planner

CC: Joyce F. Olson
John Sindzinski
Tim Brakke
Joy Munkers
Jon Layzer

7.2.9 Response for Community Transit, Snohomish County Public Transportation Benefit Area Corporation

1. As noted in the Summary of the EIS, Washington State Ferries would include an HOV/bypass lane as part of the minimum operating facility requirements for any Phase 1 development. That HOV/bypass lane is shown in Figure 2-5.

2. The bus terminal element of the Point Edwards alternative has been refined to provide bus-loading facilities on both the west and the east sides of the railroad tracks. This refinement expands the number of passenger loading positions for buses and accelerates full buildout of the bus terminal component of the project forward to Phase 1. The refined bus element provides capacity to load five buses west of the railroad tracks and up to ten buses east of the tracks.

3. The statement that "the schedule is not coordinated with the ferry schedule" was intended to describe the absence of existing schedule coordination, rather than argue the need for coordination or assign responsibility for schedule coordination. Washington State Ferries does intend to work with Community Transit to ensure coordinated schedules. Plans to improve WSF service to 30-minute frequencies should provide better opportunity in the future to attempt schedule coordination.

4. Wetlands protection concerns have led to the decision to delete the dedicated bus driveway component of the Point Edwards alternative. Community Transit's base service, Routes 110, 180 and 630, could be routed past the Senior Center via Dayton Street, Edmonds Way, Main Street, and Railroad Avenue and thence to a bus loading terminal located on the west side of the tracks at the south end of Admiral Way. A similar route using Main Street and Railroad Avenue could be used to serve bus bays located at the multimodal center on the east side of the tracks. All of these routing concepts would require crossing the tracks at-grade to serve the Senior Center.

5. The Mid-Waterfront alternative envisions providing loading positions for eight standard-size 40-foot buses, each with independent access. Pedestrians would not be permitted to cross the double-track railroad directly. Elevated access across the tracks would be provided for pedestrians near Dayton Street (400 feet south of the Senior Center's southern driveway). Bus patrons would need to walk about 500 feet south to the pedestrian overpass and then 400 feet north to the Senior Center.

6. The text has been revised to state "the provision of two bus bays implies that the Community Transit buses would continue to serve downtown near the Senior Center and that some or all routes would serve the multimodal center." This new wording provides enough flexibility.

7. Since the Dayton Street connection to Admiral Way would need to be closed in order to provide for the ferry queuing area, the only access possibility to Admiral Way development would be via the new ferry Edwards Point overcrossing of the railroad. This traffic approach should provide good access to the waterfront and to the ferry dock. Overflow of HOVs blocking Admiral Way should be easy to avoid. Unlike most freeway and arterial street HOV facilities, the Edmonds Crossing facility is not designed to provide speed advantages, but rather it is designed to bypass HOV traffic around the ferry queue. As such, it functions more like a "queue jumper" than a speed lane. In

some ways this new cross section would function much like Edmonds Way performs today, with dedicated ferry queue lanes aside general local traffic and HOV use lanes. The "Transportation Analysis of Alternatives" in Chapter 2 now states "Port and waterfront traffic would share the nonferry traffic lanes along with ferry HOV priority vehicles."

8. The sentence has been eliminated.

9. The final design may include up-escalators, as well as elevators, in order to move patrons 30 feet above the railroad tracks. Bicyclists could be allowed to use escalators to and from rail platforms, subject to specific rules of courtesy.

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